

**ZONING ORDINANCE
THE TOWN OF VARNVILLE**



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ARTICLE 1 — GENERAL

THE VARNVILLE ZONING ORDINANCE

1.1 AUTHORITY AND ENACTMENT CLAUSE

Pursuant to the authority conferred by the General Statutes of South Carolina Code Section 6-29-710, as amended, and for promoting health, safety or general welfare of the community; lessening congestion in the streets; securing safety from fire; providing adequate light and air; preventing the overcrowding of land; protecting natural drainage; lessening danger from flooding; avoiding undue concentration of population; and providing for adequate transportation, water, sewerage, schools, parks, and other public improvements; protecting scenic and unique areas, in accordance with the Town of Varnville's adopted 2012 Comprehensive Plan, the Town Council of the Town of Varnville does ordain and enact into law the following Articles and Sections.

1.2 SHORT TITLE

The Ordinance shall be known and may be cited as *The Town of Varnville Zoning Ordinance*.

1.3 CONFLICTS WITH OTHER LAWS

Whenever the regulations of this Ordinance impose more restrictive standards than are required in or under any other statutes, the requirements of this Ordinance shall govern. Whenever the provisions of any other statute require more restrictive standards than are required by this Ordinance, the provisions of such statute shall govern.

1.4 VALIDITY

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court or competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

1.5 REPEAL OF CONFLICTING ORDINANCES

All ordinances in conflict with this Ordinance are repealed to the extent necessary to give this Ordinance full force and effect.

1.6 DEFINITIONS AND RULES OF CONSTRUCTION

All ordinances and parts of ordinances in conflict with this chapter are repealed to the extent necessary to give this chapter full force and effect.

- A. Except as specifically defined in this section, all words used in this chapter have their customary dictionary definitions.
- B. Words used in the present tense include the future tense. Words used in the singular include the plural, and words used in the plural include the singular.
- C. The word “shall” is always mandatory.
- D. The word “may” is permissive.
- E. The word “lot” includes the words “plot” and “parcel.”
- F. The word “structure” includes the word “building.”
- G. The word “person” includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.
- H. The word “used” or “occupied” as applied to any land or building shall be construed to include the words “intended arranged, or designed to be used or occupied.”
- I. The word “map” or “zoning map” shall mean the official zoning map of the Town and may include a series of maps in Atlas form.
- J. The term “Planning Commission” refers to the Varnville Planning Commission.
- K. The terms “Council,” “Town Council,” or “Mayor and Council” refer to the legally constituted and elected governing body of the Town of Varnville.
- L. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicated a different meaning:

Access	The right and or ability of pedestrians and vehicles to enter and leave property.
Accessory Dwelling Unit/Dependency	A second dwelling unit either added to or in a single-family detached dwelling, or in a separate accessory structure on the same lot as the main dwelling, for use as a complete, independent living facility. The accessory dwelling unit can also be located on the second floor of retail or office building.
Accessory Use	A use of a structure subordinate to the principal use of the structure on a lot used for purposes customarily incidental to the main or principal use of the structure and located on the same lot.
Agricultural Use	The use of land or property to raise, harvest or store crops, feed, breed, or manage livestock, or to produce plants, trees, fowl or animals, including the preparation of the products raised thereon and disposed of by marketing or other means.
Alley	A secondary street or roadway which affords access to the side or rear of abutting property. It may be a public or private right-of-way or easement which is less than thirty (30) feet in width and runs between two or more lots or on a single lot, providing primary or secondary vehicular access to the properties which abut it.
Alteration of Building	Any changes in the supporting members of a building such as bearing wall, columns or girders, any addition or reduction to a building, any change in use, or any relocation of a building from one (1) location or position to another.
Automobile Service Station	Buildings and premises on any parcel or lot where gasoline, oils and greases, batteries, tires and automobile accessories may be supplied and dispensed at retail (or in connection with a private operation) where no part of the premises is used for the storage of dismantled or wrecked vehicle parts, and permitting the sale of cold drinks and packaged goods as accessory only to the principal operation
Bed and Breakfast Inn	A secondary use of a single family residence where guest lodging is offered for compensation. No more than nine (9) sleeping rooms may be made available for this purpose. A bed and breakfast inn may offer a morning meal for overnight guests only.

**Boarding,
Lodging, Or
Rooming House**

A structure, including a mobile home, where lodging, with or without meals, is provided for compensation, as an accessory use to the principal use of single family occupancy by a permanent resident. Rooms are assigned but shall not, individually or collectively, constitute separate dwelling units; those rooms shall not have separate cooking units.

Buffers

A piece of land of specific width, free from manmade structures (including driveways and parking areas), permanently set aside by the owner and his assigns and planted in trees and/or shrubs of density sufficient to provide contiguous properties with a measure of privacy. These trees and shrubs may be used in combination with structures (wall, fences, and screens) which serve to minimize or eliminate conflicts between contiguous uses of land.

**Buffer,
Landscaped**

A strip of required yard space adjacent to the boundary of a property or district which is to be landscaped for its full width, in grass or other plant materials, and on which is placed a screen of sufficient width and height to render it visually solid for the length of the developed portion of the property. The required screen is to be permanently maintained and shall be composed of either compact or dense evergreen plant materials, an appropriate wall or fence, or a combination of fence and plant material.

Building

Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure or any person, process, equipment, or goods.

**Building
Alteration**

Any change in the supporting members of a building (such as bearing walls, columns, or girders), any addition or reduction to a building; any change in use, any increase in use intensity, or any relocation of a building from one (1) location or position to another.

Building Height

The vertical distance from the average grade of a structure at ground level to the top of the highest roof beam of the roof, provided that chimneys, spires and other permitted appendages not be included in the height measurement.

Building Line

A line which represents the distance that a building or structure must be set back from a lot boundary line or street right-of-way line according to the terms of this ordinance. In all cases, the building lines of a lot shall be determined to run parallel to right-of-way lines and lot boundary lines.

**Caretaker
Housing**

A residence that is accessory to a non-residential primary use of the site, where needed for security, 24-hour care or supervision, or monitoring of facility, equipment, or other conditions on the site.

**Community
Garden**

A site used for growing plants for food, fiber, herbs, flowers, which is shared and maintained by nearby residents.

Conditional Use	A use that would not be appropriate generally or without restriction throughout a zoning district but which, if controlled as to number, area, location or relation to the neighborhood, would not be injurious to the public, health, safety, welfare, morals, order, comfort, convenience, appearance or general welfare. Such uses may be permitted in listed zoning districts upon appeal, if conditional use permits are granted by the Board of Appeals.
Cottage Development	A form of planned development whereby residential units are grouped or bunched together through a density bonus in order to provide an improved design, more efficient construction techniques, community green or open space, shared parking or access, and other amenities that might not be obtainable through conventional development
Density	The number of dwelling units per acre of land developed or used for residential purposes. Unless otherwise stated in this Ordinance, density requirements are expressed in units per gross acre.
Development	The word "development" shall mean, except where the context otherwise requires and in the absence of a more limiting provision, the performance of any building or mining operation, the making of any material change in the use of any structure or land, or the division of land into two (2) or more parcels, lots, building sites or building units.
District	The term applied to various geographical areas of the Town of Varnville for purposes of interpreting the provisions of this ordinance. The Districts are designated with the use of symbols on the Official Zoning Map. Regulations controlling land use in the various districts within the Town are set forth in Article 5 of this ordinance. The terms "district" and "zoning district" are synonymous and are used interchangeably throughout this Ordinance.
Dwelling	A building or portion of a building arranged or designed to provide living quarters for one (1) family. The terms "dwelling" and "residence" shall be interchangeable.

Dwelling Types:	<i>Attached.</i> A dwelling in a group of two (2) or three (3) dwellings having a common party wall with one (1) or more dwellings, or a dwelling having a common party wall with a nonresidential structure.
<i>Detached.</i>	A dwelling with no common party walls with another dwelling or structure.
<i>Multi-family.</i>	A building or series of buildings on the same lot or portion thereof, used or designed and rented as swellings for three (3) or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units provided.
<i>Semi-detached.</i>	A dwelling which appears visually contiguous with one (1) or more dwellings but which technically has no common party walls with other dwellings.
<i>Two- or three-family dwelling.</i>	An attached or semi-detached dwelling designed for or occupied by two (2) or three (3) families in separate dwelling units living independently or each other.
Dwelling Unit	A dwelling unit is a single unit providing complete independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.
Easement	An interest in land of another that entitles the holder to a specified limited use.
Family	One (1) or more persons living together as a housekeeping unit in a dwelling unit.
Farm	Any tract of real property which is principally used to raise, harvest or store crops, feed, breed or manage livestock or to produce plants, trees, fowl or animals, including agriculture operations, useful to man including the preparation of the products raised thereon for man's use and disposed of by marketing or other means, including agriculture.
Flood	A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters.
Floodplain	Land, typically adjacent to a body of water, with an elevation at or below the base elevation of the 100 year flood frequency.
Freestanding Sign	A detached sign which shall include any sign supported by uprights or braces placed upon or in or supported by the ground and not attached to any building.
Garage, private	An accessory building or portion of a principal building used only for the private storage of motor vehicles as an accessory use.
Garage, public	Any garage other than a private garage which is used for storage, minor repair, rental, servicing, washing, adjusting or equipping of automobiles or other vehicles.

Garage, repair	A building and premises designed or used for repairing motor vehicles, provided that body work and painting shall be conducted within fully enclosed buildings, and provided further that self-propelled vehicles in the process of repair shall be stored in a fully enclosed and secluded area.
Grade	The slope expressed in terms of vertical drop per horizontal distance of land, streets, embankment, etc.
Habitable Space	A Space in a structure for living, sleeping, eating or cooking. Maintenance or utility space, parking garages and similar areas are not considered as habitable space.
Hearings	Before entering into a development agreement, the governing body must hold at least two public hearings. The Planning Commission may be authorized to conduct the hearings. Before enacting or amending any zoning regulations or maps, the governing authority Planning Commission, if authorized by the Council, shall hold a public hearing on it, which must be advertised detailing the time and place at least fifteen days before the hearing.
Home Occupation	An occupation, profession, activity, or use that is clearly a customary, incidental, and secondary use of a residential dwelling unit and which does not alter the exterior of the property or affect the residential character of the neighborhood.
Impervious Surface	A surface which has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes, but is not limited to, surfaces such as compacted clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, patios, swimming pool decks and other similar structures.
Improvement	The construction of buildings and the establishment of basic services and amenities associated with the development activity including, but not limited to, streets and sidewalks, parking areas, water and sewer systems, drainage system, property markers and monuments, recreational facilities, (i.e., lakes, swimming pools, tennis courts, golf courses, riding stables, club houses, cabanas, marinas, docks, etc.)
Landscape Plan	The landscape plan is a detailed map which, at a minimum, illustrates the location, type and quantity of required landscaping.
Loading Space, Off-Street	Space logically and conveniently located for pickups and deliveries off public right-of-way, scaled to delivery vehicles expected to be used, and accessible to such vehicles.
Lot	An area designated as a separate and distinct parcel of land on a legally recorded subdivision plot or in a legally recorded deed as filed in the official records of the county. The terms "lot," "plot," "lot of record," "property" and "tract," whenever used in this chapter, are interchangeable.
Lot, corner	A lot located at the intersection of two (2) or more streets.

Lot, double frontage	A lot which has frontage on more than one (1) street: provide, however that no corner lot shall qualify as a double frontage lot unless the corner lot has frontage on three (3) or more streets.
Lot, Substandard	Where the owner of a lot at the time of the adoption of the zoning ordinance does not own sufficient land to enable him/her to conform to the dimensional requirements of this chapter, such lot may nonetheless be used as a building site, provided that the lot requirements are not reduced below the minimum specified in the zoning ordinance.
Lot Width	The distance between side lot lines measured at the front building line.
Material	As contained herein, shall be construed to mean objective, substantive, tangible and consequential.
Mining	The act or process of digging, excavating or tunneling for the purpose of removing some natural material, for sale or trade.
Manufactured Home	Any structure designed primarily for residential occupancy which is wholly or in substantial part made, fabricated, formed or assembled in off-site manufacturing facilities in conformance with the United States Department of Housing and Urban Development minimum property standards and local building codes, for installation, or assembly and installation, on the building site.
Mobile Home Dwelling	A single-family or multifamily dwelling unit, or unit used for business, designed or built to be towed on it own chassis, suitable for year-round occupancy, placed on a foundation so as to be substantially affixed to the site, and connected to a water supply, waste disposal system or electrical supply similar to immobile housing or immobile business structures.
Modular Dwelling	A one-family detached dwelling made of prefabricated materials or parts which is designed to be constructed onto a permanent foundation.
Motel	A building in which lodging is provided and offered to the public for compensation, which is open to transient or permanent guests. The word “motel” includes the term “hotel.”
Natural Water body	Any natural pond, lake, channel, wetland, marsh, creek, sound or ocean which ordinarily or intermittently contains water and which has a discernible shoreline.
Nonconforming Use	A use of land, building or structure lawfully existing at the time this ordinance or subsequent amendment hereto became effective, which does not conform to the use requirements of the district in which it is located.
Nuisance	Any activity which is judged by the Town Council or the appropriate agency thereto, to emit noise, vibration, smoke, gas, fumes, odor, dust, fire hazard, dangerous radiation, or other injurious or noxious conditions beyond the premises of such activity, or which poses a documented threat to water or

	wetlands, or essentially interferes with the comfortable enjoyment of life or property by the public or community, within the town limits of the Town of Varnville.
One Hundred Year Flood	The flood or level of flood water measured from mean sea level that has a one (1) percent chance of being equaled or exceeded in any given year.
On site	On or within the area contained in the development permit application or within other areas which, pursuant to this ordinance may be included in defining the site's said referenced purpose.
Open space	Land area not covered by buildings, parking areas or other accessory structures. Open space does not include utility easements, street right-of-way, drain ditches and similar structures.
Owner	An owner of property or the authorized agent of an owner.
Parcel	A defined area or piece of land, the term itself not importing any precise dimension.
Parking Lot	Any public or private open area used for the express purpose of parking automobiles and other vehicles.
Parking, off-street	The storage space for one (1) automobile of not less than nine (9) feet by twenty (20) feet, plus the necessary access space, and located outside the dedicated street right-of way, other than handicapped spaces.
Parking Space	A space provided within any public or private open area used for the express purpose of parking automobiles or other vehicles, of not less than eight feet (8') by eighteen feet (18').
Premises	A lot or other tract of land including the buildings or structures thereon.
Property	An area designated as a separate and distinct parcel of land on a legally recorded subdivision plat or in a legally recorded deed as filed in the official records of the County.
Receiving Waters	Any water bodies, watercourses, or wetlands into which surface waters flow either naturally, in man-made ditches, or in a closed conduit system.
Residential Use	Any use occurring within a building or portion of a building to provide living quarters for one (1) or more families.
Retention	The collection and storage of runoff without subsequent discharge to surface waters.
Right-of-Way	Land subject to use as a street, alley or cross walk, or for drainage or other public purposes.
Setback	A required yard between a street right-of-way or lot line and the principal building on a lot. Parking is permitted in setback areas.

Sediment	Fine particulate material, whether mineral or organic, that is temporarily in suspension or has settled in a water body.
Sign	Any form of publicity which is visible from any public way, directing attention to an individual, business, commodity, service, activity, or product, by means of words, lettering, parts of letters, figures, numerals, phrases, sentences or emblems.
Single Family Dwellings	A one-family detached dwelling other than a mobile home designed for or occupied by one (1) family.
Site	A space or piece of ground occupied or planned for occupation by structures or a set of structures and support improvements.
Silviculture	The practice of controlling the establishment, growth, composition, health, and quality of forests to meet diverse needs and values.
Special Use	A use of property under the zoning ordinance subject to special provisions due to its unique characteristics.
Street, collector	A public or private way designed primarily to contact residential service streets with arterial streets or to provide a direct connection between two (2) arterial streets and may be expected to carry a significant volume of traffic having neither origin nor destination on the street.
Street, local	A public or private way used primarily for providing direct access to abutting property.
Street, private	A right-of-way which has not been dedicated or publicly accepted by the County.
Street, public	A dedicated public right-of-way which affords means of access to abutting property and which has been accepted for maintenance by the County or the State Highway Department. For the purposes of these regulations, the term street or streets shall also mean avenues, boulevards, roads, lanes and other public ways.
Structure	Anything constructed, erected or established including, but not limited to the following: Buildings, signs, seawalls, mobile homes, fences, screen enclosures and patio walls.
Subdivision	The term "subdivision" shall mean all divisions of a tract or parcel of land into two (2) or more lots, building units or other division, for the purpose, whether immediate or future, of sale, legacy, transfer or resale and involves all division of land involving a new street or change in existing streets, and includes the act of re-subdividing previously subdivided property.
Tandem Parking	An arrangement for parking two (2) vehicles in a straight line (bumper to bumper) in which ingress and egress to the space is provided at only one end so that the second vehicle parked blocks the exit way of the first.

Tract	A defined area or piece of land, the term itself not importing any precise dimension.
Use	The purpose or activity for which the land or building thereon is designed, arranged or intended or for which it is occupied and maintained.
Utility, private	Any privately owned company or corporation which provides the general public or residents within a private development with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection or other services.
Utility, public	Any agency which, under public franchise or ownership provides the general public with electricity, gas, heat, steam, communication rail transportation, water, sewage collection or other services.
Variance	A departure from the strict terms or expressed provisions of this Ordinance granted by the Zoning Board of Appeals under the conditions of this Ordinance.
Visual Screen	A visually solid device which effectively blocks the view of the object or objects required to be screened.
Wall sign	Any sign erected against the wall of any building, or displayed on windows or doors, or displayed with the exposed face thereof in a plane parallel to the face of said wall, window or door and which sign is mounted at a distance measured perpendicular to said wall not greater than twelve inches (12").
Water body, man-made	Any man-made pond, lake, lagoon channel, wetland, marina, or basin which ordinarily or intermittently contains water and which has a discernible shoreline.
Water body, natural	A natural pond, lake, channel, wetland, marsh, creek), sound, or ocean which ordinarily or intermittently contains water and which has a discernible shoreline.
Wetlands	Any marsh, bog, swamp, meadow, flat or other area subject to flooding or tidal flow, as defined by the US Article 10.2.1
Yard	The space between a principal building on a lot and each lot line or street right-of-way bordering the lot.
Zoning District	See definition of "district."

1.7 EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after the date of its adoption.

ARTICLE II — ADMINISTRATION, ENFORCEMENT, AND APPEALS

2.1 PLANNING COMMISSION

2.1.1 Membership of The Town of Varnville Planning Commission shall be as follows:

- A. The Commission shall be composed of five (5) citizens or business owners of the Town of Varnville.
- B. All members shall be appointed to three year staggered terms by the Town Council, and after that time until their successors are appointed.
- C. A vacancy in the membership must be filled for the unexpired term by appointment of Town Council.
- D. The Town Council may remove any member of the Commission for cause. The existence of cause shall be discussed by the Council in executive session as permitted by the Freedom of Information Act, SC Code §30-4-70 (a) (1), and the determination of removal shall be by vote in public session declaring a vacancy in the position without a statement of cause. Any fact, which in the discretion of the Council, is deemed to adversely affect the public interest, including lack of attendance at meetings, may constitute cause.
- E. None of the members shall hold any elected public office or position in the Town of Varnville or Hampton County.

2.1.2 Procedures of the Varnville Planning Commission shall be as follows:

- A. The Commission shall elect one of its members chairman, who shall serve for two years or until (s)he is re-elected or his successor is elected and qualified.
- B. The Commission shall appoint a secretary who may be an officer of the Town.
- C. The Commission shall adopt rules of procedure in accordance with the provisions of this Ordinance.
- D. Meetings of the Commission must be held at least once per month, unless there is no business before it.
- E. Meetings may be held at the call of the chairman and at such other times as the Commission may determine.

- F. Public notice of all meetings of the Commission shall be provided to interested citizens.
- G. The Commission shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which must be immediately filed in the office of the Commission and must be a public record.

2.1.3 Functions, powers, and duties of the Varnville Planning Commission shall be as follows:

- A. Prepares and revise the Town of Varnville Comprehensive Plan periodically, as well as all development plans and programs for the Town.
- B. Prepares implementation measures required to carry out the goals of the Comprehensive Plan, including:
- C. Prepares and recommends to the Town Council the text and map for the Zoning Ordinance.
- D. Draft and recommends ordinances to protect and preserve the Town's appearance and resources, such as landscaping and historic preservation ordinances.
- E. Prepares and recommends revised zoning ordinances, or amendments to the Ordinance, to the Town Council
- F. Issues approvals of similarity of use.
- G. Issues denials of similarity with concurrence from Council.
- H. Catalogs public improvements needed in the Town, place them in a logical chronological order, and rank them. An annual list of priority projects should be forwarded to the Town Council.
- I. Processes and forwards requests for variance to the Board of Zoning Appeals.
- J. Interprets zoning ordinance provisions and certificates of zoning compliance, temporary certificates of zoning compliance, sign permits, conditional uses and special exceptions.
- K. Enforces the zoning ordinance.
- L. Maintains the *Official Zoning Map* and public records related to zoning.

M.Administers permits and fee collection.

N.Processes applications for rezoning.

O. Investigates and resolves complaints.

P. Delegates administrative, study and other duties to designated staff as appropriate.

Q. Fulfills other assigned duties by Ordinance or Town Council.

2.2 THE BOARD OF ZONING APPEALS

2.2.1 Membership of the Board shall be as follows:

- A. The Board shall be composed five (5) persons who are citizens of Varnville.
- B. All members shall be appointed to staggered terms of three years by the Town Council, and after that time until their successors are appointed.
- C. A vacancy in the membership must be filled for the unexpired term by appointment of Town Council.
- D. The Town may remove any member of the Board for cause. The existence of cause shall be discussed by the Council in executive session as permitted by the Freedom of Information Act, SC Code §30-4-70 (a) (1), and the determination of removal shall be by vote in public session declaring a vacancy in the position without a statement of cause. Any fact, which in the discretion of the Council, is deemed to adversely affect the public interest, including lack of attendance at meetings, may constitute cause.
- E. None of the members shall hold any elected public office or position in the Town or Hampton County.

2.2.2 Procedures of the Board of Zoning Appeals shall be as follows:

- A. The Board shall elect one of its members chairman, who shall serve for one year or until (s)he is re-elected or his successor is elected and qualified. The Board shall appoint a secretary who may be an officer of the Town.
- B. The Board shall adopt rules of procedure in accordance with the provisions of this ordinance.
- C. Meetings of the Board must be held at the call of the chairman and at such other times as the Board may determine. Public notice of all meetings of the Board of Appeals shall be provided by publication in a newspaper of general circulation in the municipality or county.
- D. In cases involving variances or special exceptions conspicuous notice shall be posted on or adjacent to the property affected, with at least one such notice being visible from each public thoroughfare that abuts the property.
- E. The chairman or, in his or her absence, the acting chairman, may administer oaths and compel the attendance of witnesses by subpoena.

- F. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which must be immediately filed in the office of the Board and must be a public record.

2.2.3 Powers of the Board of Zoning Appeals shall be as follows:

A. The Board of Zoning Appeals shall function in strict accordance with and pursuant to this Ordinance and shall have the following powers:

1. To hear and decide appeals where it is alleged there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning ordinance.
2. To hear and decide appeals for variance from the requirements of the zoning ordinance when strict application of the provisions of the ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following findings:
 - a. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
 - b. These conditions do not generally apply to other property in the vicinity;
 - c. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
 - d. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
 - i. The Board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a non-conforming use of land, or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance. Other requirements are prescribed by this zoning ordinance.
 - ii. The Town by ordinance may permit or preclude the granting of a variance for a use of land, a building, or a structure that is prohibited in a given district, and if it does permit such a variance, it may require the affirmative vote of two-thirds of the Board members present and voting. Notwithstanding any other provision of this section, the Town may overrule the decision of the Board concerning a use variance.

- iii. In granting a variance, the Board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to protect established property values in the surrounding area, or to promote the public health, safety, or general welfare;
- 3. Appeals to the Board may be taken by any person aggrieved or by any officer, department, Board, or bureau of the Town or County. The appeal must be taken within thirty days of the date the appealing party has received actual notice of the action from which the appeal is taken by filing with the officer from whom the appeal is taken and with the Board of appeals notice of appeal specifying the grounds of it. The officer from whom the appeal is taken immediately shall transmit to the Board all the papers constituting the record upon which the action appealed from was taken.
- B. An appeal stays all legal proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In that case, proceedings may not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.
- C. The Board shall fix a reasonable time for the hearing of the appeal or other matter referred to it, and give at least fifteen days' public notice of it in a newspaper of general circulation in the community, as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing any party may appear in person or by agent or by attorney.
- D. In exercising the above power, the Board of appeals may, in conformity with the provisions of this chapter, reverse or affirm, wholly or in part, or may modify the order, requirements, decision, or determination, and to that end shall have all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit. The Board in the execution of the duties specified in this chapter may subpoena witnesses and in case of contempt may certify this fact to the Hampton County circuit court.
- E. All final decisions and orders of the Board must be in writing and be permanently filed in the office of the Board as a public record. All findings of fact and conclusions of law must be separately stated in final decisions or orders of the Board, which must be delivered to parties of interest by certified mail.

2.2.4 Contempt and Penalty. In case of contempt by a party, witness, or other person before the Board of Zoning Appeals, the Board may certify this fact to the circuit court of the county in which the contempt occurs and the judge of the court, in open court or in chambers, after hearing, may impose a penalty as authorized by law.

2.2.5 Appeal from the Board of Zoning Appeals. A person who may have a substantial interest in any decision of the Board of appeals or an officer or agent of the appropriate governing authority may appeal from a decision of the Board to the circuit court in and for the County by filing with the Clerk of the Court a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within thirty days after the decision of the Board is mailed.

2.2.6 Notice of Appeal; Transcript; and Supersedeas.

- A. Upon the filing of the appeal, the clerk of the circuit court shall give immediate notice of it to the secretary of the Board and within thirty days from the time of the notice the Board shall file with the clerk a certified copy of the proceedings held before the Board of appeals, including a transcript of the evidence heard before it, if any, and the decision of the Board including its findings of fact and conclusions.
- B. The filing of an appeal in the circuit court from a decision of the Board shall not ipso facto act as a supersedeas, but the judge of the circuit court may in his discretion grant a supersedeas upon such terms and conditions as may seem reasonable and proper.

2.2.7 Determination of Appeal. At the next term of the circuit court or in chambers, upon ten days' notice to the parties, the presiding judge of the circuit court of the county shall proceed to hear and pass upon the appeal on the certified record of the Board proceedings. The findings of fact by the Board of Zoning Appeals shall be treated in the same manner as a finding of fact by a jury, and the court may not take additional evidence. In the event the judge determines that the certified record is insufficient for review, the matter may be remanded to the Board of Zoning Appeals for rehearing. In determining the questions presented by the appeal, the court shall determine only whether the decision of the Board is correct as a matter of law.

2.2.8 Determination of Appeal Costs. In the event that the decision of the Board is reversed by the circuit court, the Board is charged with the costs, and the costs must be paid by the governing authority, which established the Board of Zoning Appeals.

- 2.2.9 Appeal to the Supreme Court.** A party in interest who is aggrieved by the judgment rendered by the circuit court upon the appeal may appeal in the same manner as provided by law for appeals from other judgments of the circuit court in law cases.

2.3 VIOLATION OF ORDINANCE

- 2.3.1** Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined as determined by the court for each offense. Each day a violation continues shall constitute a separate offense.
- 2.3.2** If the Planning Commission shall find that any of the provisions of this Ordinance are being violated, (s)he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. (S)he shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of illegal additions, alterations or structural changes; and discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions.
- 2.3.3** Any person may file a written complaint whenever a violation of this Ordinance occurs or is alleged to have occurred. Such complaint, stating fully the causes and basis thereof, shall be filed with the Planning Commission. (S)he shall properly record such complaint, immediately investigate, and take action as provided by this Ordinance.
- 2.3.4** The Planning Commission shall deny a certificate of zoning compliance or permit for any use or work that fails to comply with this Ordinance. The Planning Commission and/or any other appropriate Town official shall withhold all other Town permits for work that violates this Ordinance.
- 2.3.5** The Planning Commission is authorized to issue a stop work order requiring work to cease until specified code violations are corrected. Failure to comply with a stop work order of the Planning Commission is a misdemeanor punishable under the general penalty provisions of the code.
- 2.3.6** Nothing contained in this Section shall prevent the Town from taking such other lawful action as is necessary to prevent or remedy any violation.

ARTICLE III — PERMITS, FEES, AND AMENDMENTS

3.1 PERMITS REQUIRED

Under this Ordinance, construction of new buildings and structures, erection of signs, rezoning requests, and initiation of new uses or changes of use including conditional uses and special exceptions shall require approvals and/or permits. Table __ includes a selection of potential activities with each permit or approval required under this Ordinance. **Additional permits from the Town or other agencies may be required for some activities.**

ACTIVITY	PERMIT/APPROVAL	GRANTOR
Develop a lot, including grading, water, sewer	- Certificate of zoning compliance	Planning Commission
Construct building or structure	- Certificate of zoning compliance	Planning Commission
Construction requires variance from existing development standards	- Approval of variance	Board of Zoning Appeals
Operate a temporary activity	- Temporary certificate of zoning compliance	Planning Commission
Initiate a use or change the use of a property	- Certificate of zoning compliance	Planning Commission
Use not permitted under Ordinance	- Amendment to <i>Official Zoning Map</i> (rezoning)	Planning Commission and Town Council
Use is a conditional use	- Conditional use approval	Planning Commission and Town Council
Use is a special exception	- Special exception approval	Planning Commission

Table 3.1: Permits Required

- 3.2.1** No land shall be developed or building or other structure erected, constructed, moved, added to, or structurally altered without a certificate of zoning compliance issued by the Planning Commission.
- 3.2.2** A certificate of zoning compliance is required in advance of the following.
- A.** The issuance of a building permit.
 - B.** Grading or filling a lot.
 - C.** Changing the use of any part of a structure or lot, including the increase of the number of dwelling units on a lot.
 - D.** Extension of utilities to a given site.
- 3.2.3** No certificate of zoning compliance shall be issued by the Planning Commission unless that activity is in conformity with the provisions of this Ordinance, or (s)he receives a variance approval from the Board of Zoning Appeals as provided by this Ordinance.
- 3.2.4** Applications for certificates of zoning compliance shall be acted upon within thirty (25) working days of acceptance. Incomplete applications will not be accepted until complete. Disapprovals shall be accompanied by written explanation of the reasons for denial.
- 3.2.5** If the work described in any certificate of zoning compliance has not begun within six (6) months from the date of issuance thereof, the permit shall expire and be cancelled by the Planning Commission. Written notice thereof shall be given to the persons affected.

3.3 TEMPORARY CERTIFICATE OF ZONING COMPLIANCE

3.3.1 The Planning Commission is authorized to issue a temporary certificate of zoning compliance for temporary uses, as follows:

- A.** Religious meeting in a tent or other temporary structure for a period not to exceed thirty (30) days.
- B.** Contractor's office and equipment sheds, in any district, for a period of one (1) year, provided that such office is placed on the property to which it is appurtenant.

3.3.2 The Planning Commission is authorized to issue a temporary certificate of zoning compliance for temporary commercial uses, as follows:

- A.** Carnival, circus, or fair, for a period not to exceed twenty-one (21) days, subject to the approval of the Town Council.
- B.** Open lot sale of Christmas trees, produce, or other harvested products in any district except residential districts for a period not to exceed forty-five (45) days.
- C.** Open lot retail sales in any commercial district for a period not to exceed thirty (30) days, provided that there is an approved permanent commercial activity conducting business on the property to be used by the temporary sales activity. The permanent commercial activity shall also provide in writing its willingness to provide sanitary facilities for the temporary user. The same person(s), company, or organization may only apply for two (2) certificates within one (1) calendar year regardless of location or product/services to be sold.
- D.** Real estate sales office, in any district, for a period not to exceed one (1) year, provided no cooking or sleeping accommodations are maintained in the structure.
- E.** A manufactured home for business purposes, in NC and HTC districts, for a period not to exceed one (1) year. A temporary certificate of zoning compliance issued under this subsection shall be void and such use declared illegal if the foundation of the permanent structure to replace the manufactured home has not been poured or constructed within ninety (90) days of the issuance of the temporary certificate.

3.3.3 All temporary certificates of zoning compliance may be renewed subject to the approval of Town Council, provided that it is determined that the use is clearly of a temporary nature, will cause no increased traffic congestion and will not create a nuisance to surrounding uses.

3.4 SIGN PERMITS

- 3.4.1** No sign shall be erected, constructed, moved, added to, or structurally altered without a permit issued by the Planning Commission.
- 3.4.2** No sign permit shall be issued by the Planning Commission unless that sign is in conformity with the provisions of this Ordinance, or (s)he receives a variance approval from the Board of Zoning Appeals as provided by this Ordinance.
- 3.4.3** If the work described in any sign permit has not begun within six (6) months from the date of issuance thereof, the permit shall expire and be cancelled by the Planning Commission. Written notice thereof shall be given to the persons affected.

3.5 AMENDMENTS

This Ordinance, including the *Official Zoning Map*, may be amended by the Town Council upon a recommendation of the Planning Commission. A property owner or citizen of the Town of Varnville or by the Town Council, the Planning Commission, may initiate a proposed amendment to the Ordinance or the Official Zoning Map.

- 3.5.1** Proposed amendments shall be first presented to the Planning Commission.
- 3.5.2** Only the Town Council, Planning Commission, or property owners of a lot or parcel may request an amendment of the *Official Zoning Map*, also referred to as a rezoning, for that lot or parcel.
- 3.5.3** Public notice of the Planning Commission meeting at which the amendment is to be discussed shall be made at least five (5) working days prior to the meeting to allow for public comment. Both the applicant and the public shall be allowed to comment at the meeting.
- 3.5.4** In cases involving rezoning, conspicuous notice shall be posted on the property affected, with at least one (1) such notice being visible from each public road that abuts the property. The applicant may be requested to pay for the costs of these notices.
- 3.5.5** The Planning Commission shall forward its recommendation on the amendment to the Town Council within thirty (30) days of its meeting at which the amendment was approved or disapproved.
- 3.5.6** Town Council shall conduct a public hearing on the amendment according to lawfully prescribed procedures with a notice of the time and place of the hearing appearing in a newspaper of general circulation within the County at least fifteen (15) days prior to the hearing.

- 3.5.7** Following final action by the Town Council, any necessary changes shall be made in the *Official Zoning Map*. A written record of the type and date of such change shall be maintained by the Town Clerk. Until such change is made, no action by the Town Council on map amendments to the zoning ordinance shall be considered official, unless the Town Clerk fails to make the change within seven (7) days after formal action by the Town Council. In this event, action by the Town Council shall be considered official seven (7) days after the date of the action even if the Town Clerk has failed to make the appropriate changes.
- 3.5.8** Application for amendment the *Official Zoning Map* shall not be initiated for the same parcel or parcels of property, or any part thereof more often than once every twelve (12) months.

3.6 APPLICATION FOR PERMITS AND APPROVALS

- 3.6.1** All applications for certificates of zoning compliance, sign permits, conditional use approvals, amendments (rezoning requests), and review by the Board of Zoning Appeals shall be accompanied by the following, at a minimum.
- A.** Copies of the plan(s) in sufficient quantity to provide a copy for each reviewing Officer, Commission, or Board member, as appropriate, plus one (1) copy for archiving. The plans must be drawn to scale, showing, as appropriate for the proposed activity: the actual dimensions and shape of the lot; setback and rights of way lines; the size and location of all buildings and/or structures on and adjacent to the lot; adjacent land use; existing conditions on the lot; the location of all palm and live oak trees with a minimum diameter of six (6) inches or larger, measured at a height of fifty-four (54) inches; and the location and dimensions of the proposed land use, building/structure, alteration, or sign.
 - B.** A copy of the plat on which the lot is recorded.
 - C.** A copy of the plan and identification of all trees with a diameter of six (6) inches or larger as measured at fifty-four (54) inches height.
 - D.** The Planning Commission, Board of Zoning Appeals, or Town Council may request additional information from the applicant. Such additional information may include, but is not limited to, comment from the Historical Society or other Town or State agencies or groups; the number of households or rental units planned; a landscaping plan; a traffic impact study; or any other material as may be necessary to determine conformance with and provide for the enforcement of this Ordinance.
- 3.6.2** One (1) copy of the approved plan(s) that contains any changes requested by the Commission, Board, and/or Council shall be returned to the applicant. The marked copy shall be signed by the Officer as approved as marked. A written report containing the findings of the Commission, Board, or Council, as appropriate, shall also be given to the applicant. The original marked copy of the plan(s) and all related reports shall be retained by the Town of Varnville.

- 3.6.3** Applications requiring approval of the Planning Commission or Board of Zoning Appeals must be presented at least ten (10) working days before the next regularly scheduled meeting. This will allow time for the public notice required as well as time for review by the Commission or Board. Applications must be considered by the Planning Commission to be complete applications, or the review will be delayed to the next regularly scheduled meeting.

3.9 FEES

- 3.9.1** The Town of Varnville shall institute a fee system to help defray administrative costs and the expenses of legal notices and hearings.
- 3.9.2** No permit or approval shall be issued until fees have been paid in full, nor shall any action be taken on proceedings before the Planning Commission or Board of Zoning Appeals until applicable fees have been paid in full.

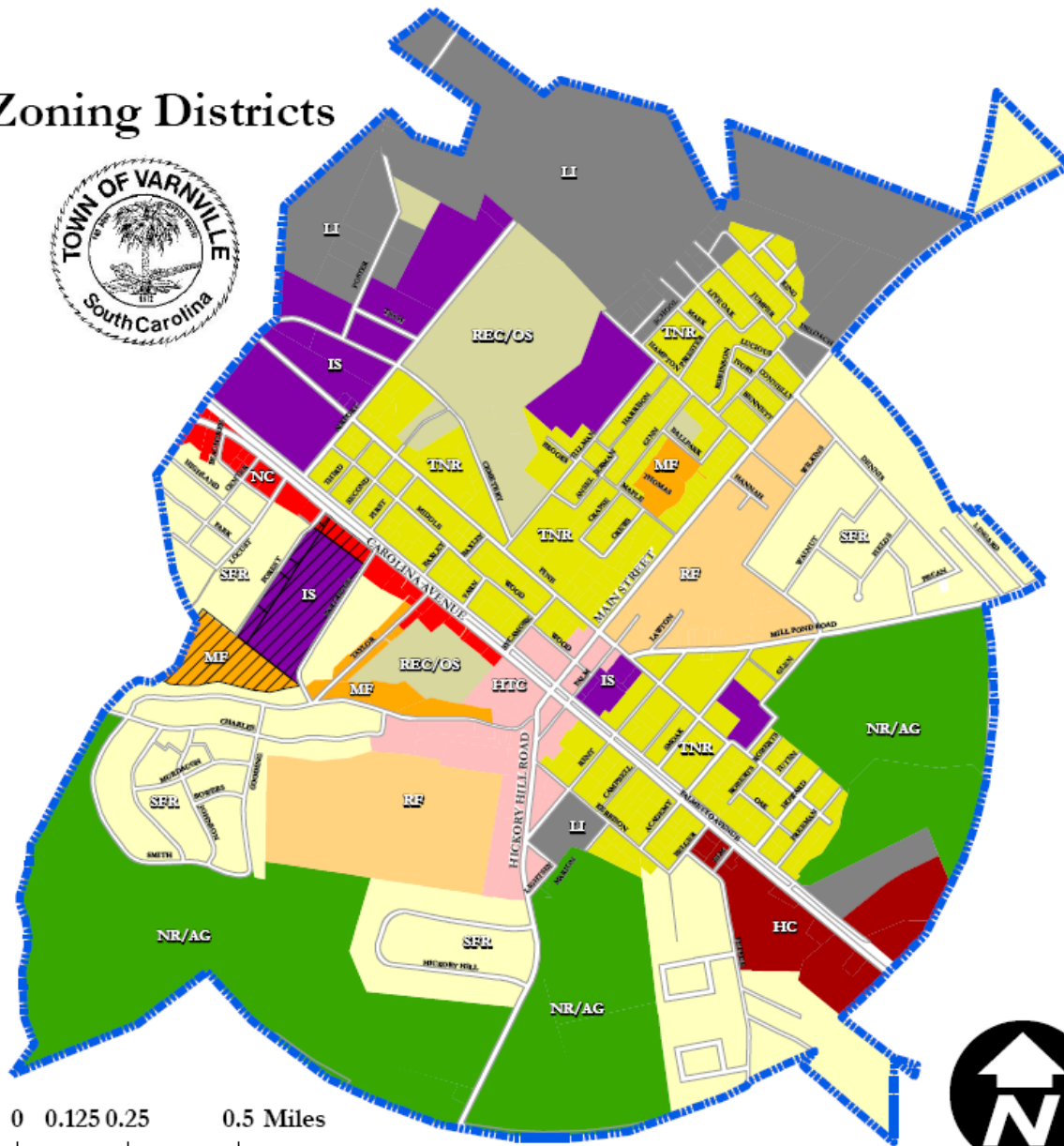
ARTICLE IV – ESTABLISHMENT OF ZONING DISTRICTS

4.1 OFFICIAL ZONING MAP

The boundaries of the zoning districts presented in this ordinance are shown on a map entitled *The Official Zoning Map, Town of Varnville*, which shall be identified by the signature of the Mayor, attested to by the Town Clerk, and bearing the seal of the Town. The *Official Zoning Map* (copy on following page), together with all explanatory text thereon, is hereby adopted by reference and declared to be part of this ordinance.

- 4.1.1 If, in accordance with the provisions of this ordinance and South Carolina Code, changes are made in District boundaries portrayed on the *Official Zoning Map*, such changes shall be promptly entered on the Map after adoption with two (2) readings at Town Council. No amendment to this ordinance which involves information portrayed on the *Official Zoning Map* becomes official until after such change has been made on the Map.
- 4.1.2 The *Official Zoning Map* shall be located in the Office of the Town Clerk in Varnville Town Hall. This copy shall be the final authority as to the current zoning status of land in the Town.
- 4.1.3 No changes of any nature shall be made on the *Official Zoning Map* or its explanatory text except in conformity with the procedures set forth in this ordinance. Any unauthorized change of whatever kind by any person shall be considered a violation of this ordinance and is punishable as provided by law.

Zoning Districts



Legend

VARNVILLE BOUNDARY

SFR - SINGLE-FAMILY RESIDENTIAL

TNR - TRADITIONAL NEIGHBORHOOD RESIDENTIAL

RF - RESIDENTIAL FLEXIBLE

MF - MULTI-FAMILY

HTC - HISTORIC TOWN CENTER

NC - NEIGHBORHOOD COMMERCIAL

HC - HIGHWAY COMMERCIAL

IS - INSTITUTIONAL

LI - LIMITED INDUSTRIAL

REC/OS - RECREATION/OPEN SPACE

NR/AG - NATURAL RESOURCE/AGRICULTURE

MEDICAL OVERLAY DISTRICT



The Lowcountry Council of Governments has made all reasonable efforts to ensure the accuracy of this map. LCOG expressly disclaims all responsibility for any errors found within, and/or for any damages which may result in the use of this map.

Map 4.1: Official Zoning Map

4.2 INTERPRETATION OF DISTRICT BOUNDARIES

The boundaries between Districts are, unless otherwise noted, either the center line of streets or streams, rights-of-way, lot or tract lines, Town limits, or such lines extended. Disputes over district boundaries shall be settled by the Board of Zoning Appeals.

4.3 APPLICATION OF REGULATIONS AND STANDARDS

No land or structures shall hereafter be constructed, erected, or altered, moved, replaced, or subdivided except in conformity with all the restrictions specified for the District in which it is located.

- 4.3.1** No yard or lot existing at the time of passage of this ordinance shall be reduced in area below the minimum requirements set forth for the District in which it is located. Lots created after the effective date of this ordinance shall meet the minimum requirements established for the District in which the lot is located.
- 4.3.2** If the owner of two (2) or more adjacent lots with insufficient land dimensions to meet District requirements decides to build on or sell these lots, (s)he must first combine the lots to comply with the dimensional requirements of the District.
- 4.3.3** Where a lot of record does not conform to the area requirements of this ordinance, such lot may nevertheless be used as a building site provided that said lot requirements, such as setbacks or maximum lot coverage, are not reduced below the minimum specified for the District by more than twenty (20) percent and provided adequate sewage disposal facilities can be provided to serve the lot. Decisions on lot requirement reductions of twenty (20) percent or less may be made by the Planning Commission or may be referred by the Building Official to the Board of Zoning Appeals.
- 4.3.4** Any lot requiring a reduction in lot requirements of more than twenty (20) percent must be submitted to the Board of Zoning Appeals for review and approval or denial. Approval of reductions must comply with the Board's procedures.
- 4.3.5** On lots having frontage on more than one (1) street at an intersection, the minimum front yard requirements must be maintained on the portion of the lot facing the more significant of the streets. Minimum setbacks may be reduced to one-half (1/2) the regulated distance on that portion of the lot facing the street(s) of less importance. In no case shall the setback be less than fifteen (15) feet.
- 4.3.6** On lots having frontage on more than one (1) street but not located at an intersection, the minimum front yard requirements must be maintained on each street. On lots with frontage on more than two (2) streets but not at an intersection, minimum setbacks may be reduced to one-half (1/2) the regulated distance on only along one (1) frontage of the lot, that facing the street of less importance. In no case shall the setback be less than fifteen (15) feet.

4.4 PERMITTED USES, CONDITIONAL USES, SPECIAL EXCEPTIONS

Articles V, VI, and VII describe specific zoning districts. Each of these Articles contains a table for each district within the Article showing uses that are permitted outright, or permitted with conditions, or permitted as special exceptions.

- 4.4.1** A permitted use is specifically authorized, by right, to take place within a specific zoning district.
- 4.4.2** Uses not listed in the table as permitted, conditional uses, or special exceptions are not permitted in the district.
- 4.4.3** Recognizing that every conceivable use cannot be identified in this ordinance, and anticipating that new uses will evolve over time, the applicant may apply for a determination of similarity by Planning Commission. After a determination of similarity, the approval may be issued. Following a denial, the applicant may apply to the Planning Commission to amend the ordinance.
- 4.4.4** The Planning Commission will compare a proposed use to those listed in the ordinance to determine similarity using the following measures. The proposed use shall:
 - A. Meet the intent of, and be consistent with the goals, objectives, and policies of the Comprehensive Plan,
 - B. Meet the stated purpose and general intent of the district in which it is to be located,
 - C. Provide no adverse impact to public health, safety, or general welfare of the Town's residents, and
 - D. Share characteristics common with, and not be of greater intensity, density, or generate more environmental impact, than those uses listed in the district in which it is to be located.
- 4.4.5** The determination of compliance for conditional uses is the responsibility of the Planning Commission, and may be referred to the Planning Commission for any reason. Specific conditions to be met are listed with each conditional use within the zoning district's description. All conditions must be met before an approval may be issued.

4.4.6 Special exceptions are reviewed by the Planning Commission for a determination of conformance. A full description of this process is included in Section 2.4.

A. Approval of the Board of Zoning Appeals must be granted before a project can commence.

C. The Planning Commission considers when approving new uses plus the following topics. Any additional issues or more specific issues to be considered are identified within each zoning district's description.

1. Hours of operation
2. Setbacks
3. Buffers, including vegetation, walls, distance, or a combination
4. Parking
5. Number of participants
6. Traffic generation
7. Location of this use to other uses
8. Location of this use to similar uses
9. Landscaping
10. Noise generation
11. Light trespass
12. Owner-occupant v. off-site landlord
13. Total size of operation
14. Lot area
15. Architecture
16. Accessory uses, intended and allowed
17. Structure height
18. Term of use
19. Neighborhood compatibility
20. Other site and adjacent activity factors.

4.4.7 It is the responsibility of the applicant to prove similarity, or that all conditions for a conditional use have been met, or that the request for special exception is appropriate. The applicant must also provide any and all materials requested by the Planning Commission, or Board of Zoning Appeals as required to prove the case.

4.4.8 The Planning Commission, or Board of Zoning Appeals has the right to delay review of any application that is not considered complete by the Commission, or Board.

4.5 NONCONFORMING USES

4.5.1 Nonconforming uses are declared by this ordinance to be incompatible with permitted uses in the District in which they are located. However, to avoid undue hardship, the lawful use of any building or land use at the time of the enactment of this ordinance may be continued even though such use does not conform to the provisions of this ordinance, except that the nonconforming building, use, or portions thereof, shall not be:

- A.** Changed to another nonconforming use.
- B.** Reused or re-occupied after a discontinuance of use or occupancy for a period of six months or more.
- C.** Replaced or re-established with a similar building or use after physical removal or relocation from its site.
- D.** Repaired, rebuilt, or altered after damage exceeding fifty (50) percent of its replacement cost at the time of destruction. Reconstruction or repair, when permitted, must begin within six (6) months after damage is incurred.
- E.** Enlarged or altered in a manner, which increases its nonconformity.
- F.** Does not violate a regulation of the Town of Varnville.
- G.** Continued after ten (10) years unless given a variance by the Zoning Board of Appeals. This Board may authorize a series of variances of up to three (3) Years each.
- H.** Continued after a change of ownership unless granted a variance by the Zoning Board of Appeals. This does not apply to property used exclusively for residential purposes.

4.5.2 Nothing in this Section shall be deemed to prevent strengthening or restoring to a safe condition any building or part thereof declared to be unsafe by any official charged with public safety.

4.6 ANNEXATION

Where Town limit boundaries are proposed for change by virtue of annexation, the Town Council will request, study and receive recommendation from the Varnville Planning Commission regarding proposed zoning districts for the area to be annexed prior to a referendum for such annexation. No property shall be annexed without a zoning designation.

4.7 GENERAL REQUIREMENTS FOR SIGNS

- 4.7.1** The Town of Varnville regulates the number, size, placement, and physical structure of all signs within its jurisdiction.
- 4.7.2** Each zoning district has specific requirements as to the number, size, placement, and physical structure of signs within each district that must be followed.
- 4.7.3** Signage plans are required for sign permits covering any of the following: two (2) or more adjacent properties under the same ownership; a single lot with more than one (1) principal use, such as a shopping center. The plan shall specify standards for consistency in size, color, style, material, and location. Once approved by the Planning Commission, the plan is binding on all uses occupying the affected lots.
- 4.7.4** Nonconforming signs shall be removed or brought into conformance within three (3) years of the effective date of this ordinance; or when there is a change in business ownership, type, or name; or if the sign becomes damaged at more than fifty (50) percent of replacement cost. At such time that a nonconforming sign must be removed or come into conformance, owners or parties responsible for these signs will be notified by the Planning Commission in writing that the sign must be removed or come into conformance within thirty (30) days or notification. Failure to comply with the notice may result in the removal of the sign by the Town and the costs of removal collected in the manner prescribed by law.
- 4.7.5** Only the following signs are permitted in public rights-of-way: governmental public information signs, traffic control and emergency signs, historical signs and markers, and postings of legal notice. Political signs and temporary directional signs are also permitted in public rights-of-way for a period of time not to exceed ninety (90) days.
- 4.7.6** Signs extending over pedestrian walkways shall have a minimum clearance of eight (8) feet above the walkway directly below the sign. Signs extending over parking areas shall have a minimum clearance of fourteen (14) feet above the driving surface directly below the sign.
- 4.7.7** All permanent signs must be composed of durable all-weather materials and all painting and lettering must be completed in a professional manner.
- 4.7.8** Light from illuminated signs shall not trespass onto adjacent properties. Illuminate signs must not resemble traffic or emergency lighting that could cause drivers to become disoriented.
- 4.7.9** Measurement of a sign face for compliance with this ordinance does not include foundations or supports, but only the face of the sign from edge to edge. Double facing signs are only measured on one (1) side. Multiple signs on one (1) post and signs composed of more than one (1) piece are measured cumulatively as one (1) sign face.

4.7.10 All signs not expressly permitted in this ordinance are prohibited. Examples of prohibited signs include: signs containing the words *stop* or *danger* in a large type face that could be mistaken for traffic control or emergency signs; signs attached to trees, fence posts, stationary vehicles, or utility poles; abandoned signs or those referring to businesses, products, or services that are no longer available; and poorly maintained signs that are structurally unsound and cannot meet minimum safety standards.

4.8 GENERAL REQUIREMENTS FOR BUFFERS AND LANDSCAPING

4.8.1 Buffers. Buffers shall be required to ensure compatibility of adjacent land uses. Specific buffer requirements regarding location, width, density, and suggested vegetation or fence type are included within each zoning district. The measurements are minimums.

- A. A buffer may not extend into a front setback or limit traffic visibility.
- B. Only fences and landscaping walls are permitted in buffers, no other construction is permitted. Parking is prohibited in buffers.
- C. It is the responsibility of the developer of the new use to provide any required buffers. Maintenance is the responsibility of the property owner and includes appropriate watering to ensure continued growth, removal of dead wood and debris, weeding where necessary, and proper maintenance of fences and landscape walls. Property owners with improperly maintained buffers will receive a written notice from the Planning Commission. Failure to comply with the notice within thirty (30) days may result in the maintenance of the buffer by the Town and the costs of maintenance collected in the manner prescribed by law.

4.8.2 Landscaping. An open space permanently used for the growing of shrubs and plants with other decorative features improves the appearance of public rights-of-way, parking lots, and public spaces. Landscaping also improves air quality and reduces storm water runoff.

- A. Specific landscaping requirements regarding location, width, density, and suggested vegetation or fence type are included within each zoning district. The measurements are minimums.
- B. A landscaping plan is required when applying for a certificate of zoning compliance for other than one (1) single-family or duplex residential construction. The scaled plan must include all structures, roads, designated areas for landscaping, plant materials, and any other features to be installed.
- C. All parking areas with ten (10) or more spaces must provide landscaping along public rights-of-way. Parking areas with twenty (20) spaces or more shall provide interior landscaping to guide traffic flow and to break up expanses of paving.
- D. It is the responsibility of the developer of the new use to provide any required landscaping. Maintenance is the responsibility of the property owner and includes appropriate watering to ensure continued growth, removal of dead wood and debris, weeding where necessary, and proper maintenance of fences and landscape walls. Property owners with improperly maintained landscaping along a public right-of-way will receive a written notice from the Planning Commission. Failure to comply with the notice within thirty (30) days may result in the maintenance of the landscaped area by the Town and the costs of landscaping collected in the manner prescribed by law. The Town also reserves the right to require the property owner to replace dead or, shrubs or trees from landscaped areas along public rights-of-way.

4.9 VISIBILITY AT INTERSECTIONS

No fence, wall, terrace, sign, vegetation, structure, or object capable of obstructing driver vision between the heights of three (3) to ten (10) feet above finished street level shall be permitted on a corner lot within twenty-five (25) feet of the point created by the intersection of street right-of-way lines which bound said lot. At the intersection of any private drive or entrance/exit directly accessing a public street, no fence, wall, hedge, structure, or planting over two and a half (2.5) feet in height shall be erected, placed, planted, or maintained that provides a visual impairment to visibility.

4.10 DEVELOPMENT IN FLOOD HAZARD AREAS

Development in flood hazard areas as defined on FEMA maps shall not interfere with the watercourse or flow into an impounding basin. No buildings or structures shall be constructed in flood hazard areas unless they are adequately protected from flooding and will not impede water flow. No fill, levee, or other construction shall be approved unless mitigation is made to prevent expansion of flood hazard areas. The developer must provide substantial evidence of the potential impacts, lack of impacts, and mitigation measures.

4.11 NUISANCES

Any business which is judged by the Town Council or the appropriate agency thereof to constitute a nuisance beyond its premises by emitting noise, vibration, smoke, gas, fumes, odor, dust, fire hazard, dangerous radiation, or other injurious or obnoxious conditions, or which poses a documented threat to water or wetlands within the Town limits of Varnville is not allowed in any district.

ARTICLE V — RESIDENTIAL DISTRICTS

As the Comprehensive Plan stated, “Housing is perhaps Varnville’s greatest asset. The community offers a wide-ranging mix of housing along tree-lined streets near parks and schools, and at affordable prices for consumers in a range of incomes.”

Residential zoning districts have the combined goal of protecting and enhancing that resource while encouraging new development that is good for the Town and its present and future residents.

The Comprehensive Plan laid out goals to maintain and improve a safe and healthy environment, which are implemented through the zoning ordinance. Specific goals that were identified include protecting natural and cultural resources and increasing the quality of life for all residents through balanced growth. The ordinance will also provide flexibility to allow for an array of housing types to meet the needs of a range of household incomes. Comprehensive Plan policies that will impact residential development and be implemented in part by the Zoning Ordinance include:

- Connections to bicycle and pedestrian systems
- Access to quality affordable housing
- Quality residential development and redevelopment throughout the municipality
- Continuity of the present grid-pattern layout
- Preservation of the Town’s historic character
- Land uses that blend with the context of neighborhood or district
- Flexible development regulations that make housing affordable
- Economic efficiency through the use of existing infrastructure.

To encourage property owners and developers to work with the Town in meeting these goals, several incentives have been developed. They are in section 4.5, at the end of this chapter. Recognizing the contribution that today’s manufactured and modular housing has the potential to meet the “quality affordable housing” goal, that alternative will be conditionally acceptable in the Single Family Residential District, and will be permitted by right in the other residential districts, if the homes meet the criteria set out in section 4.6, also at the end of this chapter.

5.1 SINGLE-FAMILY RESIDENTIAL (SFR) DISTRICT

This district allows for detached Single-Family dwellings with private yards on spacious lots (1/3 to three acres). The Single-Family district prevents encroachment of commercial and industrial uses and discourages heavy traffic. Pedestrians and bicycle facilities are accommodated, but the majority of travel is auto-oriented. Low site coverage by buildings will enhance large green yards, trees and shrubbery. Single-Family detached homes provide opportunities for:

- Privacy
- Room for expansion
- Design variation
- Multiple cars
- Family Gardens
- Swimming pools and recreation
- Suburban lifestyle

5.1.1 SINGLE-FAMILY RESIDENTIAL DISTRICT -- PERMITTED USES

The uses in the table on the following page are permitted. Certain uses are permitted only after conditions have been met to protect the core character of the neighborhood from unwanted encroachment of commercial and industrial uses. Some uses have special characteristics, which otherwise may affect the surrounding neighborhood, therefore require special considerations. Such uses shall not be incompatible with the type of uses permitted by right.

Use	Permitted	Conditional
Single-Family Dwelling	X	
Manufactured Housing		X
Modular Housing		X
Place of Worship		X
Home Business/Occupation (See 5.3.6)		X
Daycare (up to eight children)		X
Neighborhood Park	X	
Community Gardens		X
Infrastructure and Utilities		X
Accessory Uses		
Guest Cottage	X	
Garage/Car Port	X	
Swimming Pool	X	
Detached Greenhouse	X	
Storage Shed	X	
Artist Studios/Workshops		X
Children's Playhouse	X	

Table 5.1: SFR – Permitted Uses

5.1.2 CONDITIONAL USES.

Location and approval of designated conditional uses shall be subject to *review* by the Town of Varnville Planning Commission. A conditional use may be approved, if it is demonstrated that the proposed use will be compatible with other uses and structures in the neighborhood and that it satisfies all relevant requirements of this ordinance and the following general criteria:

- A. The use is listed as a conditional use in the underlying zoning district;
- B. The use is consistent with the Comprehensive Plan
- C. The amount of new vehicular traffic generated by the use is not disruptive to the surrounding neighborhood;
- D. The parcel is suitable for the proposed use considering its size, shape and location;
- E. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
- F. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
- G. The use is or can be made compatible with existing uses and other allowable uses in the area.

In *approving* an application for a conditional use, the Planning Commission may impose conditions to protect the area surrounding the proposed use and to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to, the following:

- A. Increasing the required parcel area or yard dimensions;
- B. Limiting the height, size, or location of buildings and structures;
- C. Controlling the location and number of vehicle access points;
- D. Limiting the amount of traffic to be generated by the use;
- E. Increasing the number of required off-street parking spaces;
- F. Requiring fencing, screening, or landscaping to protect adjacent or nearby property;
- G. Prescribing exterior finish for buildings or additions thereto.

5.1.3 ACCESSORY USES SHALL:

- 1) Be compatible with the existing residence on the lot through architectural use of building forms, height, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices.
- 2) Maintain the scale of the neighborhood and abides by setback height requirements.
- 3) Not result in excessive noise, traffic or parking congestion.
- 4) Maintain a compatible relationship to adjacent properties.

5.1.4 HOME OCCUPATIONS

Home occupations shall be permitted in the Single-Family Residential District to promote a diversified economy and opportunities in Varnville provided that any such occupation:

- A. Has no more than one additional employee other than the persons whom reside on the premises;
- B. Is conducted entirely inside the principle building or permitted accessory structures;
- C. Does not change the character of the exterior buildings and the landscape of the lot;
- D. Does not create nuisances to those who live near the home business;
- E. Does not require storage outside permitted buildings;
- F. Does not increase normal residential traffic;
- G. Does not burden public and private utilities with usage beyond that of a typical household;
- H. Does not conduct general retail sales from the residence;
- I. Does not involve the repair or storage of automobiles;
- J. Meets all laws and regulations administered by the Town of Varnville and the State of South Carolina; and
- K. Have only *one* unlighted sign no more than *three square feet* in size.

5.1.5 DIMENSIONAL REQUIREMENTS:

Dimensional Requirements- Single-Family Residential

	Density and Lot Size			Minimum Yard Requirements			Maximum Height		Lot Coverage
	Minimum Lot Size	Maximum Density	Minimum Width (feet)	Front Setback (feet)	Side Setback (feet)	Rear Setback (feet)	Primary Structure Height (feet)	Secondary Structure Height (feet)	Maximum Lot Coverage
Residential Uses	1/3 acre	3 dwellings per acre	100	Prevailing setback or 35 in new developments	15	20	35	30	25%

Table 5.2 Dimensional Requirements

5.1.6 SETBACKS

Residential infill development in the Single-Family Residential districts will use prevailing setback with adjacent structures. The setback will be determined by averaging the three adjacent setbacks on each side of the development site to compute the setback. This provides for contextually sensitive development that will ensure the neighborhood is at the same scale. For development that occurs without precedent of adjacent properties, a 35-foot setback will be required.

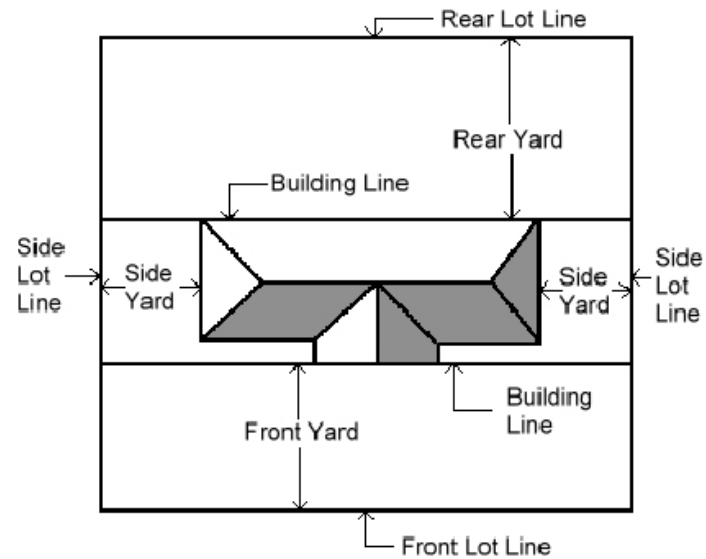


Figure 5.1: Lot Descriptions

5.1.7 COMMUNITY CONNECTIVITY

Existing street patterns in adjacent existing communities and neighborhoods should be continued in new development and redevelopment. New developments should be at the same scale as the adjacent developed areas to increase connectivity through all modes of transportation including vehicular, bicycle, and pedestrian. In addition to the street pattern, bicycle lanes, greenways, and walking trails should be incorporated into new development. **Note:** See section 5.5 at the end of this chapter for developer incentives.

5.1.8 SIDEWALKS

For new development that occurs in a Single-Family Residential District, a four-foot-wide sidewalk shall be installed along the frontage. If infill development occurs in an existing neighborhood, a four foot sidewalk will be installed only if the adjacent properties on each side have such pedestrian facilities. All sidewalks will connect with the existing facilities. **Note:** See section 5.5. at the end of this chapter for developer incentives.

5.1.9 SIGNAGE

The following signs shall be allowed in Single-Family Residential districts and are exempt from permits

- A. House numbers
- B. Election signs which shall be temporary and removed within 24 hours after the election for which they are posted.
- C. Home occupation signs. One (1) unlighted sign less than two (2) square feet in size mounted on a wall of the principal building.
- D. Directional signs
- E. Parking and traffic signs
- F. Temporary construction signs
- G. Real estate marketing signs. One (1) sign per firm per street frontage pertaining to the sale or lease of the premises. The sign shall have a maximum of six (6) square feet in surface area per side and be a maximum of three and one-half (3.5) feet high.

5.1.10 LANDSCAPING

Front and side yards shall be landscaped using grass (or ground cover), shrubs, and trees. Parking and driveway areas are excluded. Native and drought tolerant vegetation is encouraged.

5.1.11 FENCING

Horizontal front yard and vertical side yard fencing up to the front façade shall not exceed four feet in height. Residential fencing along a major or minor thoroughfare shall provide visual interest with the use of decorative posts or finials. Intervals of Decorative plantings are also encouraged, but must remain out of the right-of way. Backyard and side yard fencing shall not exceed 8 feet in height and must be constructed with one of the following materials:

- Wood (excluding plywood and particle board)
- Stone
- Brick
- Decorative Concrete block
- Wrought iron
- Chain-link IS not permitted in the front yard or along minor or major thoroughfares

5.2.1 TRADITIONAL NEIGHBORHOOD RESIDENTIAL DISTRICT (TNR)

The purpose of this district is to reinforce the fabric of the community by promoting infill and new development that reflects the historical character of the Town of Varnville. It will encourage connections between nearby businesses and services to residential areas through efficient use of existing street and sidewalk networks. New developments will also utilize existing utility infrastructure where feasible. The Traditional Neighborhood District will expand housing opportunities by allowing a range of housing sizes and styles. This zone will maximize the opportunity for infill development with the aim of stimulating economic investment and development in established neighborhoods. The intent is to create and support quality neighborhoods that are balanced by a high level of nearby services and amenities.

Development standards in the traditional residential district will align with the goals and policies set forth by the Comprehensive plan by incorporating the following features:

- Sidewalks that connect to the adjacent sidewalk system.
- Public streets that connect to the established street pattern
- Preservation of architecturally significant structures whenever feasible.
- Setbacks, building coverage, compatible with surrounding community.
- Narrow lots for efficient use of infrastructure.

5.2.2 PERMITTED USES

The following uses are permitted. Certain uses are permitted only after conditions have been met to protect the core character of the neighborhood from unwanted encroachment of commercial and industrial uses. Some uses have special characteristics, which otherwise may affect the surrounding neighborhood, therefore require special considerations. Such uses shall not be incompatible with the type of uses permitted by right.

Use	Permitted	Conditional	Special Exception
Single-Family Dwelling	X		
Modular Housing	X		
Manufactured Housing	X		
Place of Worship		X	
Nursing Home/ Assisted Living			X
Public/Private Utilities			X
Home Business/Occupation		X	
Daycare		X	
Neighborhood Parks	X		
Community Gardens		X	
Law Office		X	
Bed & Breakfast			X
Accessory Uses			
Swimming Pool	X		
Shed	X		
Greenhouses	X		
Garage/Carport	X		
Artist Studio	X		
Accessory Dwelling Unit			X

Table 5.3: TNR – Permitted Uses

5.2.3 CONDITIONAL USES.

Location and approval of designated conditional uses shall be subject to *review* by the Town of Varnville Planning Commission. A conditional use may be approved, if it is demonstrated that the proposed use will be compatible with other uses and structures in the neighborhood and that it satisfies all relevant requirements of this ordinance and the following general criteria:

1. The use is listed as a conditional use in the underlying zoning district;
2. The use is consistent with the Comprehensive Plan
3. The amount of new vehicular traffic generated by the use is not disruptive to the surrounding neighborhood;
4. The parcel is suitable for the proposed use, considering its size, shape and location;
5. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
6. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
7. The use is or can be made compatible with existing uses and other allowable uses in the area.

In *approving* an application for a conditional use, the Town of Varnville Planning Commission may impose conditions to protect the area surrounding the proposed use and to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to, the following:

- A. Increasing the required parcel area or yard dimensions;
- B. Limiting the height, size, or location of buildings and structures;
- C. Controlling the location and number of vehicle access points;
- D. Limiting the amount of traffic to be generated by the use;
- E. Increasing the number of required off-street parking spaces;
- F. Requiring fencing, screening, or landscaping to protect adjacent or nearby property;
- G. Prescribing exterior finish for buildings or additions thereto.

5.2.4 ACCESSORY DWELLING UNITS

Accessory dwelling units (**ADUs**) can increase the community's affordable housing supply by providing supplementary income for first-time homebuyers and empty nesters while at the same time offering housing for those who want to live in good neighborhoods. ADUs can also benefit seniors by either providing a place to live near loved ones or having tenants on the property to provide assistance from time to time. ADUs may even offer residence for caregivers.



Accessory dwelling units must conform to the characteristics of the established neighborhood and abide by regulatory standards.

Accessory Dwelling Units must:

- A. Be no more than fifty (50) percent of the primary dwelling unit's indoor square feet.
- B. Not result in excessive noise, traffic or parking congestion.
- C. Maximize side yard and rear yard privacy by limiting entrances and windows facing neighboring properties.
- D. Not exceed two bedrooms.
- E. Meet all sanitary and building codes.
- F. Have one parking space onsite for each bedroom.
- G. Maintain the Scale of the primary dwelling unit as well as the neighborhood.
- H. Coordinate the exterior with the primary dwelling unit.
- I. Have a site plan that provides adequate open space and landscaping that is useful for both the accessory dwelling unit and the primary residence. Open space and landscaping provides for privacy and screening of adjacent properties.

5.2.5 DIMENSIONAL REQUIREMENTS

Density and Lot Size			Minimum Yard Requirements			
Min. Lot Size	Max. Density	Min. Width (feet)	Front Setback (feet) [See following diagram]	New Development 4 or more units Front Setback	Side Setback (feet)	Rear Setback (feet)
1/5 Acre	5 dwellings per acre	60	Based on the prevailing existing setbacks by computing the average setback of the three (3) adjacent setbacks on each side of subject property.	Staggering between 15-25 feet	15	20

Table 5.4: TNR - Dimensional Requirements

5.2.6 SITE COVERAGE AND BUILDING HEIGHT:

Maximum Height		Lot Coverage
Primary Structure Height (feet)	Secondary Structure Height (feet)	Maximum Lot Coverage
35 (excluding church steeples)	30	40%

Table 5.5: TNR – Site Coverage and Building Height

5.2.7 FRONT PORCH AND BONUS

A porch can exceed the front setback by six (6) ft. provided that it services the main entrance and does not encroach onto sidewalk access. The porch may, however, extend within conversational range of the sidewalk to promote community interaction. A walkway will be installed from the front stoop to the sidewalk. Front porches will not be considered as part of building coverage if they emphasize the architectural features of the home.

5.2.8 SIDEWALKS

For new development that occurs in a Traditional Neighborhood District, a four-foot wide sidewalk shall be installed along the frontage. If infill development occurs in an existing neighborhood, a four-foot sidewalk will be installed only if the adjacent properties on each side have such pedestrian facilities. All sidewalks will connect with the existing facilities.

5.2.9 SIGNAGE

The following signs shall be allowed in Traditional Neighborhood Districts and are exempt from permits:

- A. House numbers
- B. Election signs which shall be temporary and removed within 24 hours after the election for which they are posted.
- C. Home occupation signs. One (1) unlighted sign less than two (2) square feet in size mounted on a wall of the principal building.
- D. Directional signs
- E. Parking and traffic signs
- F. Temporary construction signs
- G. Real estate marketing signs. One (1) sign per firm per street frontage pertaining to the sale or lease of the premises. The sign shall have a maximum of six (6) square feet in surface area per side and be a maximum of three and one-half (3.5) feet high.

5.2.10 LANDSCAPING

Front and side yards shall be landscaped using grass (or ground cover), shrubs, and trees. Parking and driveway areas are excluded. Native and drought tolerant vegetation is encouraged. Shade trees are encouraged along sidewalks provided that they do not interfere with utilities and the movement of traffic.

5.2.11 FENCING

Horizontal front yard and vertical side yard fencing up to the front façade shall not exceed four feet in height. Residential fencing along a major or minor thoroughfare shall provide visual interest with the use of decorative posts or finials. Intervals of decorative fencing are also encouraged, but must remain out of the right-of-way. Backyard and side yard fencing shall not exceed eight (8) feet in height and must be constructed with one of the following materials:

- Wood (excluding plywood and particle board)
- Stone
- Brick
- Decorative Concrete block
- Wrought iron
- Chain link IS not permitted in the front yard or along minor or major thoroughfares

5.3.1 FLEXIBLE RESIDENTIAL (FR)

The Flexible Residential District's purpose is to provide for innovation through relaxed zoning regulation in terms of land use that allows for a variety of contextual neighborhood dwellings, offices, and retail spaces. While the dominant uses will remain residential, neighborhood retail establishments, civic uses, and services, will be allowed. This is intended to provide for pedestrian oriented development for all ages.



The Flexible Residential Districts will align with the goals and policies of the Comprehensive Plan by:

- Their compactness;
- Designs based on existing buildings in the neighborhood ;
- Providing a mix of uses, including residential, commercial, civic, and open space uses in close proximity to one another within the neighborhood;
- Providing a mix of housing styles, types, and sizes to accommodate households of all ages, sizes, and incomes;
- Interconnecting streets with sidewalks, bikeways, and transit that offer multiple routes for motorists, pedestrians, and bicyclists;
- Utilizing elements of historical features or architectural features that enhance the visual character of the community; and
- Incorporating existing and new environmental features into the design.

5.3.2 PERMITTED USES

The following uses are permitted. Certain uses are permitted only after conditions have been met to protect the core character of the neighborhood from unwanted encroachment of commercial and industrial uses. Some uses have special characteristics, which otherwise may affect the surrounding neighborhood, therefore require special considerations. Such uses shall not be incompatible with the type of uses permitted by right.

Use	Permitted	Conditional	Special Exception
Single Family Dwellings	X		
Cottage-Style Homes (Cluster)		X	
Duplexes	X		
Garden Apartments	X		
Manufactured Housing	X		
Modular Housing	X		
Multifamily Units (4 units max)			X
Daycare	X		
Civic		X	
Neighborhood Grocery		X	
Coffee Shops		X	
Bookstore		X	
Dry Cleaner			
Artist Studio		X	
Gallery		X	
Specialty Retail		X	
Community Centers		X	
Public Swimming Pools		X	
Community Gardens		X	
Assisted Care Facilities (6 or fewer clients)			X
Accessory Uses			
Garage	X		
Swimming pool	X		
Detached Shed	X		
Playhouse	X		
Accessory Dwelling Units		X	

Table 5.6: FR – Permitted Uses

5.3.3 CONDITIONAL USES. Location and approval of designated conditional uses shall be subject to *review* by the Town of Varnville Planning Commission. A conditional use may be approved, if it is demonstrated that the proposed use will be compatible with other uses and structures in the neighborhood and that it satisfies all relevant requirements of this ordinance and the following general criteria:

- A. The use is listed as a conditional use in the underlying zoning district;
- B. The use is consistent with the Comprehensive Plan
- C. The amount of new vehicular traffic generated by the use is not disruptive to the surrounding neighborhood;
- D. The parcel is suitable for the proposed use considering its size, shape and location;
- E. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
- F. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
- G. The use is or can be made compatible with existing uses and other allowable uses in the area.

In *approving* an application for a conditional use, the Town of Varnville Planning Commission may impose conditions to protect the area surrounding the proposed use and to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to, the following:

- A. Increasing the required parcel area or yard dimensions;
- B. Limiting the height, size, or location of buildings and structures;
- C. Controlling the location and number of vehicle access points;
- D. Limiting the amount of traffic to be generated by the use;
- E. Increasing the number of required off-street parking spaces;
- F. Requiring fencing, screening, or landscaping to protect adjacent or nearby property;
- G. Prescribing exterior finish for buildings or additions thereto.

5.3.4 SPECIAL EXCEPTIONS. Special exceptions shall also be reviewed by the Town of Varnville Planning Commission for a determination of conformance. The review and approval procedures and the factors and conditions which will be evaluated by the Planning Commission are the same as those discussed in “Conditional Uses” (above).

5.3.5 ACCESSORY USES SHALL:

- 1) be compatible with the existing residence on the lot through architectural use of building forms, height, construction materials, colors, landscaping, and other methods that conform to acceptable construction practices.
- 2) Maintain the scale of the neighborhood and abides by setback height requirements.
- 3) Not result in excessive noise, traffic or parking congestion.
- 4) Maintain a compatible relationship to adjacent properties.

Accessory Dwelling Units:

See Article 5.2.4

5.3.6 HOME OCCUPATIONS

A home occupation shall be permitted in the Flexible Residential District to promote a diversified economy and opportunities in Varnville provided that any such occupation:

- A. Has no more than one additional employee other than the persons whom reside on the premises;
- B. Is conducted entirely inside the principle building or permitted accessory structures;
- C. Does not change the character of the exterior buildings and the landscape of the lot;
- D. Does not create nuisances to those who live near the home business;
- E. Does not require storage outside permitted buildings;
- F. Does not increase normal residential traffic;
- G. Does not burden public and private utilities with usage beyond that of a typical household;
- H. Does not conduct general retail sales from the residence;
- I. Does not involve the repair or storage of automobiles;
- J. Meets all laws and regulations administered by the Town of Varnville and the State of South Carolina; and
- K. Have only *one* unlighted sign no more than *three square feet* in size.

5.3.7 DIMENSIONAL REQUIREMENTS FOR COTTAGE STYLE AND COMMERCIAL RESIDENTIAL

For Flexible Residential District developments, the underlying zoning dimensional requirements shall be the same as the Traditional Residential: See Article 5.2.5

For duplex housing developments, the underlying zoning dimensional requirements shall be the same as Multifamily Duplex: See Article: 5.4.5

Multifamily units shall not exceed 9 units per acre and all dimensional requirements shall be the same as those listed in Article 5.4.1.

Dimensional Requirements — Flexible Residential							
	Density and Lot Size		Yard Requirements				
	Minimum Lot Size	Maximum Density	Minimum Front Setback (feet)	Maximum Front Setback (Feet)	Minimum Side Setback (feet)	Minimum Rear Setback (feet)	Maximum Structure Height (feet)
Cottage-Style and Garden Apt.	1/9 acre	9 units per acre	10	20	10	10	20
Commercial/Civic Uses	1/9 acre	9 units per acre	10	15	0	10	30

Table 5.7: FR – Dimensional Requirements

Lot Coverage		
	Lot Coverage	Open Space
Cottage Style and Garden Apt.	70%	30%
Commercial/Civic	75%	25%

Table 5.8: FR – Lot Coverage





5.3.8 Design Standards --Cottage-Style Neighborhoods shall meet design standards in order to blend in with established neighborhoods. The following standards must be met in all new developments and shown in the site development plan. New development must have:

- A. Variation in building type and size, to look like existing neighborhoods that were built over time.
- B. Variation in layout and orientation.
- C. Variation in building materials, mixture and texture.
- D. Wall material consisting of one or a combination of wood, cement fiberboard, stucco, standard sized brick and stone may be used. Simulated stone, wood, stone or brick may be used to detail homes.
- E. Trim consisting of wood, cement fiberboard, stucco, or stone materials. Trim is required around all doors and windows. .
- F. Varying roof shapes, pitches and gables.
- G. Varied roof heights.
- H. Window trim.
- I. Entry enhancement.
- J. Use of varied siding, trim and base colors.

All loading, trash, recycling and storage areas shall be located so they are not visible from streets and nearby neighborhoods and will be concealed with fencing and landscaping.

5.3.9 LANDSCAPING – FLEXIBLE RESIDENTIAL

Landscaping in the Flexible Residential Districts is intended to protect and preserve the appearance and character of the district as well as to help reduce the heat island effect in the summertime caused by concrete and asphalt surfaces and building coverage. Tree, shrubs and native plantings will help reduce stormwater runoff caused by impervious surfaces. Landscaping shall be maintained and enhanced around the areas of designated off-street parking. Buffers are required for any off-street parking visible from the street in order to soften the impact of development.

The landscaping required for the Flexible Residential Districts shall provide shade to pedestrians, improve the appearance of the district, and promote a balance between nature and the built environment. Within the district street trees used in small gardens along the sidewalks benefit pedestrians and businesses. Natural vegetation and plant materials should be utilized to promote native species, reduce water consumption from irrigation, and discourage invasive plant species. Any area that is considered wetland by the National Wetland Inventory (NWS) shall be avoided or mitigated onsite.

Public features such as multiuse paths, neighborhood parks; for passive and active recreational activities, and water elements should be made use of among and surrounding natural assets within the site plan.

Cottage neighborhoods may orient front-facing facades towards a common open space, with off-street parking provided for all dwelling units.

5.4.1 MULTIFAMILY

The purpose of this district is to allow for a greater concentration of residential units and provide for the unique needs that these developments will require. The multifamily districts will complement the established neighborhoods of the Town of Varnville with aesthetically pleasing features, recreational opportunities, and adequate open space for residents. Multifamily districts will provide a range of housing options for those who do not have the financial means or do not wish to have a Family home. Attractive housing options, however, will not be sacrificed to affordability, through the implementation of the development standards that follow. Multifamily units will blend with the surrounding neighborhoods by having entrances that face the street. Windows will be located on all sides of each structure. Circulation will include access to sidewalk networks or other pedestrian facilities. Parking will be accommodated, but will not be unsightly from the street or nearby neighborhoods.

5.4.2 PERMITTED USES

The following uses are permitted. Certain uses are permitted only after conditions have been met to protect the core character of the neighborhood from unwanted encroachment of commercial and industrial uses. Some uses have special characteristics, which otherwise may affect the surrounding neighborhood, therefore require special considerations. Such uses shall not be incompatible with the type of uses permitted by right.

Use	Permitted	Conditional	Special Exception
Apartment	X		
Duplex	X		
Row house	X		
Townhouse	X		
Community Garden		X	
Daycare		X	
Community Swimming Pool		X	
Playground		X	
Preschool		X	
Nursing Home/Assisted Living			X

Table 5.9: MF – Permitted Uses

5.4.3 CONDITIONAL USES. Location and approval of designated conditional uses shall be subject to *review* by the Town of Varnville Planning Commission. A conditional use may be approved, if it is demonstrated that the proposed use will be compatible with other uses and structures in the neighborhood and that it satisfies all relevant requirements of this ordinance and the following general criteria:

- A. The use is listed as a conditional use in the underlying zoning district;
- B. The use is consistent with the Comprehensive Plan
- C. The amount of new vehicular traffic generated by the use is not disruptive to the surrounding neighborhood;
- D. The parcel is suitable for the proposed use considering its size, shape and location;
- E. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
- F. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
- G. The use is or can be made compatible with existing uses and other allowable uses in the area.

In *approving* an application for a conditional use, the Town of Varnville Planning Commission may impose conditions to protect the area surrounding the proposed use and to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to, the following:

- 1. Increasing the required parcel area or yard dimensions;
- 2. Limiting the height, size, or location of buildings and structures;
- 3. Controlling the location and number of vehicle access points;
- 4. Limiting the amount of traffic to be generated by the use;
- 5. Increasing the number of required off-street parking spaces;
- 6. Requiring fencing, screening, or landscaping to protect adjacent or nearby property;
- 7. Prescribing exterior finish for buildings or additions thereto.

5.4.4 SPECIAL EXCEPTIONS.

Special exceptions shall also be reviewed by the Town of Varnville Planning Commission for a determination of conformance. The review and approval procedures and the factors and conditions which will be evaluated by the Planning Commission are the same as those discussed in “Conditional Uses” (above).

5.4.5 DIMENSIONAL REQUIREMENTS:

Dimensional Requirements- Multifamily					
	Density		Yard Requirements		Primary Structure Height (feet)
	Minimum Size (unit to square feet) and Maximum Units per acre	Maximum Front Setback (feet)	Minimum Side Setback (feet)	Rear Setback (feet)	
Row House	1200 square ft. minimum and 5 units per acre	5	0 or 15 if adjacent to Single-Family residence	0 or 20 if adjacent to Single-Family residence	30
Townhouse	1000 square ft. minimum and 5 units per acre	5	0 or 15 if adjacent to Single-Family residence	0 or 20 if adjacent to Single-Family residence	30
Duplex	1 unit: 900 and 5 units per acre	15	15	20	30
Apartments	1: 750 Sq. Ft. and 10 units per acre	10	15	20	35

Table 5.10: MF – Dimensional Requirements

5.4.6 DESIGN GUIDELINES

In order for multifamily developments to compliment the community and neighborhoods where they exist, certain design guidelines must be met. These include:

- A. Developments that abut single family residences will have wrought iron, wood, brick or stone fencing along with landscaping along any parking lot that faces the street, any residential or commercial district. Chain-link fencing is prohibited.
- B. The Exterior shall be wood, brick, or stucco.
- C. Parking shall remain behind the multifamily development.
- D. Landscaping will be provided along any fencing and will not be placed in the right-of-way.
- E. Buildings will have varying heights, pitches, and rooflines will to avoid repetition.
- F. Any façade facing the roadway will include windows and entrances.
- G. All entrances will connect to sidewalks.
- H. Parking will connect to sidewalks.
- I. Shade will be provided in public areas by shelters and trees.
- J. Bicycle racks will be incorporated into site plan.

5.4.7 LANDSCAPING

Landscaping in the Multifamily Districts is intended to protect and preserve the appearance and character of the district. Landscaping will help reduce the heat island effect in the summertime caused by concrete and asphalt surfaces and building coverage. Tree, shrubs and native plantings will reduce stormwater runoff produced by impervious surfaces. Landscaping shall be maintained and enhanced around the areas of designated off-street parking. Buffers are required for any off-street parking visible from the street in order to soften the impact of development.

The landscaping required for the Multifamily Districts shall provide shade to pedestrians, improve the appearance of the district, and promote a balance between nature and the built environment. Within the district street trees used in small gardens along the sidewalks benefit pedestrians and businesses. Provision of community open space is strongly encouraged. Natural vegetation and plant materials should be utilized to promote native species, reduce water consumption from irrigation, and discourage invasive plant species. Natural features such as streams and creek beds shall be avoided and maintained. Any area that is considered wetland by the National Wetland Inventory (NWS) shall be avoided or mitigated onsite. Bioretention facilities will be considered as a mitigation method.

5.5 DEVELOPER INCENTIVES

It is the purpose of this section to provide incentives to help achieve the Town of Varnville's planning and comprehensive plan goals of providing for new development and redevelopment that will mirror the community's existing patterns and building types as well as encourage a pedestrian-oriented, connected environment. Incentives are offered as opportunities to property owners and developers as a vehicle to meet specific development goals while providing benefits to the overall community.

Such benefits shall not be considered an inherent right but shall be considered a privilege extended by the Town. Incentives are designed to allow specific benefits to property owners, developers and end users of a property and not for the purpose of circumventing any other provisions of this ordinance.

There are several incentives that are offered by the Town of Varnville to help further the goals of the Comprehensive Plan and the vision of the community.

For the purposes of this section, public benefit features are not considered to be the principal use on a zoning lot, but rather an accessory feature or use complimentary to the principal uses(s).

The incentives provide for increases in density or decreases in required parking, lot size, lot coverage or setbacks in exchange for the inclusion of one or more public benefit features, as listed below:

- 5.1.1 Exterior Design Density Incentive.** Residential developments that restrict homes and accessory buildings to designs that reflect the traditional "Lowcountry" features of the communities of Hampton County eligible to receive a density bonus of ten (10) percent.
- 5.1.2 Traditional Grid Pattern Incentive.** Residential developments that are designed as extensions of the communities of Hampton County's traditional "grid" street pattern are eligible to receive a density bonus of ten (10) percent.
- 5.1.3 Rear Garage/Alley Incentive.** Residential developments that locate garages in rear yards are eligible for the following density bonuses:

- A. A twenty-five (25) percent reduction in front yard setbacks if garages are restricted to rear yards.
- B. A twenty-five (25) percent reduction in front yard setbacks and a five (5) percent density bonus if garages are restricted to rear yards and shared drives are utilized to access such garages.
- C. A twenty-five (25) percent reduction in front yard setbacks and a ten (10) percent density bonus if garages are restricted to rear yards and rear access alleys are utilized to access such garages.

5.1.4 Pedestrian Walkways Incentive. Developments which install a system of pedestrian walkways that connect to the Town's existing sidewalk circulation system are eligible to receive a density bonus of ten (10) percent. To be eligible for the density bonus, all inhabitable units within the development must be located within 500 feet of such a walkway.

5.6 MANUFACTURED AND MODULAR HOMES

Manufactured and Modular Homes are permitted in Traditional and Flexible Residential Districts and conditionally permitted in the Single Family Residential Districts if the following criteria are met:

- A. Be on individual sites.
- B. Have a minimum of 900 square feet of enclosed living area;
- C. Have a 2:12 roof pitch.
- D. Conform to local residential designs;
- E. Are covered with exterior materials customarily used on site-built homes, including vinyl siding, wood, Masonite, or other materials similar to the exterior siding commonly used in standard residential construction;
- F. Have roof overhangs of not less than four inches;
- G. Be built according to the Federal Manufactured Housing Construction and Safety Standards Code (245 CFR 3280), enacted June 15, 1976;
- H. Manufactured homes built prior to the effective date of the code shall not be permitted for reasons of safety;
- I. Installation shall be in accordance with the Manufacturer's Installation Manual. If not available then installation should adhere to the South Carolina Manufactured Housing Board Regulations;
- J. Have appropriate skirting/underpinning of brick or masonry or similar materials around the entire unit.



ARTICLE VI — COMMERCIAL DISTRICTS

The Commercial Districts are intended to further the goals and objectives of the Town of Varnville's Comprehensive Plan by providing adequate space in appropriate locations for both new commercial development and also for the redevelopment and/or renovation of existing commercial uses. The commercial districts will strengthen the economic base of Varnville while balancing environmental, transportation, and social priorities. Comprehensive Plan policies to be implemented by the Commercial Districts include:

- Provide for adequate amounts of land to accommodate market demands for new development expected in the Town, including residential, commercial, and industrial activities.
- Ensure that new development is connected to existing development and to other new development by means of both roads and bicycle and pedestrian facilities.
- Make more efficient use of existing and planned public facilities and services.
- Preserve the unique character of the neighborhoods of the Town and extend the traditional street patterns and the scale, quality and design of the existing community into new development.
- To encourage property owners and developers to work with the Town in meeting these goals, several incentives have been developed. They are in section ___, at the end of this chapter.

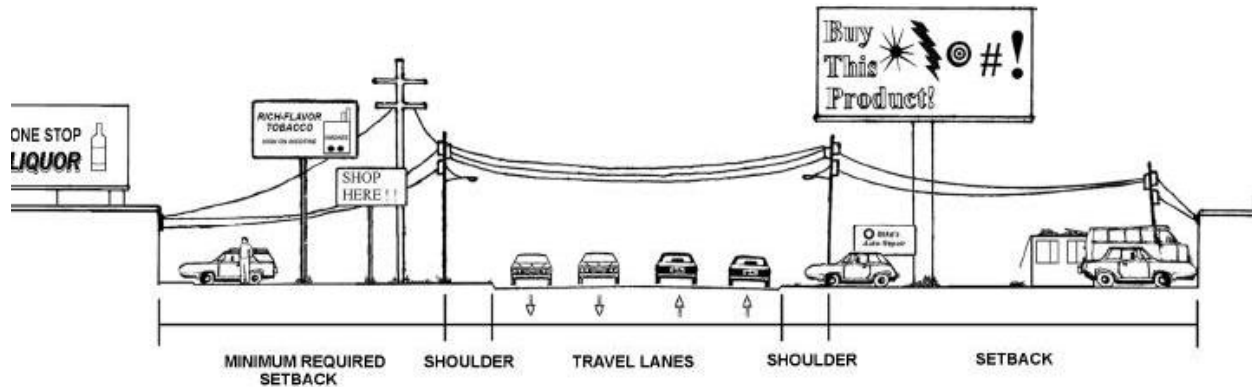


The Commercial Districts are divided into three categories to direct development:

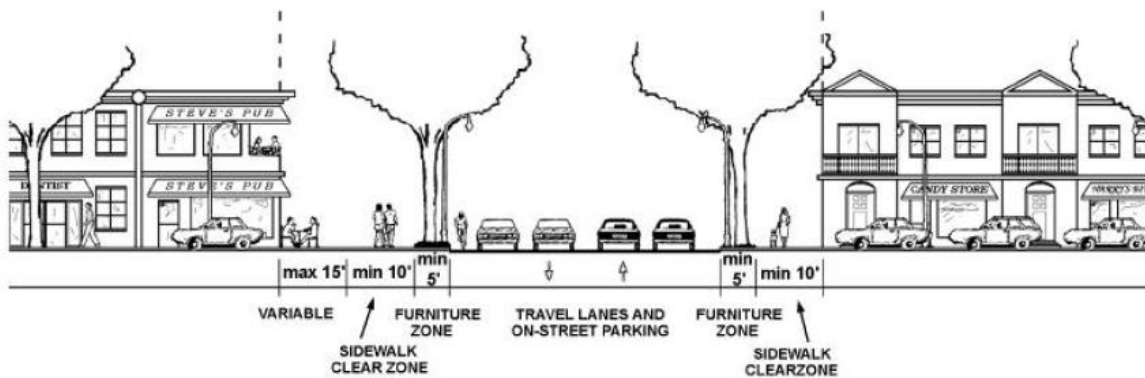
- **6.1.1 Historic Town Core – Cultural, Civic, Commercial Hub**
- **6.2.2 Neighborhood Commercial – Personal Services and Goods**
- **6.3.3 Highway Commercial Districts.—Regional Commercial Center**

COMMERCIAL ZONING: Illustrated View

Note: The following illustrations are not intended for development standard purposes.



The illustration above shows the familiar effects of loose sign and setback regulations.



The illustration above shows the desired outcome of development standards and incentives for the Historic Town Core.

6.1.1 HISTORIC TOWN CORE (HTC)

The district is designed to protect and enhance historic downtown Varnville's unique character as a business, civic, and cultural center. Its zoning will encourage the development and redevelopment of uses that complement existing buildings in and around the historic core. There will be space for innovative small-to mid-sized businesses and offices which will accommodate a range of commerce from locally-oriented businesses to national-level general retail sales. The core district will foster limited number of residential units in a mixed use environment. Pedestrian-friendly design standards will increase access for nearby residential neighborhoods and provide a safe and enjoyable setting for residents and attract visitors off US 278.

The Historic Core District will support the goals of the Comprehensive Plan to:

- Encourage development, retention and expansion of convenience retail, businesses and services in the Town center to support the area's residential uses.
- Allow for mixed use within the Town's core in the new Zoning Ordinance.
- Contribute to the special character and quality of life of Varnville.
- Work toward making crosswalks, sidewalks and multiuse paths safe for all people, with a focus on seniors and the disabled.
- Provide a shelter that can be used by both people waiting for the bus and for people who are walking.

6.1.2 PERMITTED USES Uses permitted outright, or permitted with conditions in the HTC are shown in the following table. Uses not listed in this table are not permitted in the HTC, but may be allowed by a determination of similarity by the Town of Varnville Planning Commission.

Use	Permitted	Conditional
Assembly Hall		x
Athletic Club	x	
Auto service station, fuel sales		x
Automatic Teller Machines	x	
Bakery	x	
Bank	x	
Bar, Tavern		x
Barber, Beauty Shop	x	
Bed and Breakfast		x
Brew Pub, Micro-brewery		x
Cabinetmaking/Woodworking Shop		x
Café, Restaurant	x	
Caterer	x	
Clinic, intermediate care facility	x	
Community Center	x	
Convenience stores	x	
Day care center	x	
Farmer's Market		x
Gallery	x	
General Retail	x	
Hotel, motel		x
Laundry facility, Laundromat		x
Micro-retail (permanent structure)	x	
Mixed-use buildings	x	
Museum	x	
Neighborhood Park, Playground	x	
Offices—Business, Government, Professional	x	
Restaurant, Drive thru		x
Studios (music, art, dance, photography, etc.)	x	
Theatres	x	
Utility Structures		x
Residential		
Townhome	x	
Rowhouse	x	

Table 6.1: HTC – Permitted Uses

6.1.3 CONDITIONAL USES. Location and approval of designated conditional uses shall be subject to *review* by the Town of Varnville Planning Commission. A conditional use may be approved, if it is demonstrated that the proposed use will be compatible with other uses and structures in the Historic Town Core and that it satisfies all relevant requirements of this ordinance and the following general criteria:

- A. The use is listed as a conditional use in the underlying zoning district;
- B. The use is consistent with the Comprehensive Plan
- C. The amount of new vehicular traffic generated by the use is not disruptive to the surrounding neighborhood;
- D. The parcel is suitable for the proposed use considering its size, shape and location;
- E. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
- F. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
- G. The use is or can be made compatible with existing uses and other allowable uses in the area.

In *approving* an application for a conditional use, the Planning Commission may impose conditions to protect the area surrounding the proposed use and to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to, the following:

- 1. Increasing the required parcel area or yard dimensions;
- 2. Limiting the height, size, or location of buildings and structures;
- 3. Controlling the location and number of vehicle access points;
- 4. Limiting the amount of traffic to be generated by the use;
- 5. Increasing the number of required off-street parking spaces;
- 6. Requiring fencing, screening, or landscaping to protect adjacent or nearby property;

6.1.4 DEVELOPMENT STANDARDS

New construction is required to meet the following basic standards, as shown in the following tables, unless incentives have been granted by the Town in return for specific conditions (see Section 6.5, “Zoning Incentives”).

Main Street-type Mixed Use Buildings

Minimum lot size	10,000 sq. ft.
Minimum lot width	30 ft. min. - 60 max.
Front Setback	15ft.min. – 25ft. max.
Side setback	0
Corner side yard	10 min. – 15 max.
Rear yard	20 ft.
Maximum building size (% of total lot)	80 %
Maximum height	45 ft.
Max. Residential per building	2 @ 800 Sq. ft. min.



6.1.5 INFILL DEVELOPMENT

Infill development that occurs between existing buildings on Main Street that date before 1950, will match or use the average prevailing front setbacks of the adjacent structures. Infill development will follow all other development standards detailed above.

5.1.6 ALL OTHER COMMERCIAL

Minimum lot size	20,000 sq. ft.
Minimum lot width	50 ft. min- 200 max.
Front setback	15 min. - 35 max.
Side setback	15
Corner side yard	20 min. – 40 max
Rear yard	20 ft.
Maximum building size (% of total lot)	70 %
Maximum height	35 ft.



6.1.7 RESIDENTIAL

Row and Townhomes will comply with multifamily dwelling development standards. See Article: 5.4



6.1.8 BUILDING FRONTAGE DESIGN STANDARDS

- 1) Buildings may have canvas awnings and frames appropriate for the building. Reinforced vinyl fabric is considered canvas and is acceptable. Awnings and canopies will not encroach more than five (5) feet and will be at a minimum of eight (8) feet in height.
- 2) All retail, office and mixed use developments will have unpainted windows that cover seventy (70%) percent of street frontage of the structure. They must be raised to a maximum of three (3) feet in height and will not reach more than ten (10) feet in height.
- 3) All business entrances must face the street and open directly towards the public sidewalk.
- 4) Service and loading zones should be located to the rear, side or in an internal location where visibility from sidewalks and other public rights-of-way, and views from neighboring buildings and properties will be minimized.
- 5) Retail establishments will have a zero step entrance and will comply with the Americans with Disability Act (ADA 1990).

6.1.9 PARKING

In order to ensure safe and convenient access to goods and services while reinforcing a thriving economic base and a historic setting in downtown Varnville, certain parking regulations will be enforced and incentives offered. The Town of Varnville Planning Commission will also offer developers a case-by-case evaluation of required parking for new developments.

Although a standard has been established at three (3) off-street parking spots per 1000 gross square feet of the primary building and 1.5 spaces per residential unit, this may not be the optimal standard for all developments. The case-by-case evaluation will be mutually beneficial to both the developer and The Town of Varnville by potentially reducing the cost for unneeded parking for the developer.

Screened Parking and Native Plantings



The Technical College of the Lowcountry (TCL) Campus utilizes live oaks to shade people and cars from the heat of the day. The new landscaping adds a mix of attractive native grasses that aid in stormwater retention and adds visual interest by means of parking islands. Masonry and iron-work fencing demarcate boundaries, while screening and breaking the monotony of a typical parking lot.

6.1.10 CASE-BY-CASE EVALUATION

Criteria for the case-by-case evaluation that will be used by the Town of Varnville Planning Commission when determining parking requirements include:

1. Adherence to other specifications in parking lot construction (orientation of parking, materials for lot surface, site design.)
2. Proximity (200 ft. or less) of adjacent underutilized parking surfaces or low-use overflow areas.
3. Projections for demand for parking with methodology for calculations
4. Case studies of similar projects and with project performance
5. Cost benefits analysis of proposed options with alternatives. Benefits should include reduced impervious surface, cost, flexibility in design and reduced environmental

PARKING LOT DUAL USE



In addition to the criteria, incentives may also be considered by the Town of Varnville Planning Commission for any shared or community parking lot development in the Historic Town Core. In the development of shared lots, developers are encouraged to consider design elements for dual uses which may include markets, fairs and auto shows. Temporary attractions will add vibrancy to the Historic Town Core District and boost commerce at area businesses.

- Areas for shelter
- Street furniture
- Trees for shade
- Public furniture
- Electric Source

Added parking incentives can be found at the end of this chapter.

6.1.11 COMMUNITY CONNECTIVITY

Street patterns in adjacent existing communities and neighborhoods should be continued in new development and redevelopment. New developments should be at the same scale as the adjacent developed areas to increase connectivity through all modes of transportation including vehicular, bicycle, and pedestrian. In addition to the street pattern, sidewalks, bicycle lanes, greenways, and walking trails should be incorporated into new development, providing mobility options through a variety of modes. By incorporating community connectivity into site design and development business will also see several benefits including reducing transportation costs for potential customers, creating easier access to business, and fostering a sense of community, that could all lead to increasing and sustaining businesses. Additionally, this type of development will allow business patrons to get out of their vehicles, mingle and spend more time purchasing goods and services.

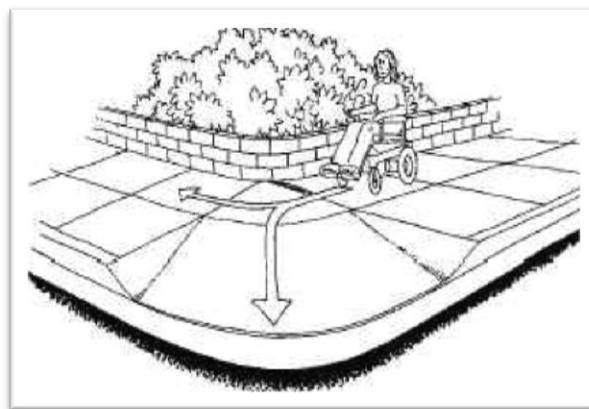
6.1.12 Block Size

For new development and major expansions, block sizes will be at a minimum of 200 ft. frontage and a maximum 400 ft. in the Historic Town Core. These smaller blocks will continue the historic grid pattern of the existing community and benefit motorists, bicyclists and pedestrians by offering a greater variety of less congested routes.

6.1.13 Sidewalks

Sidewalks are required for all commercial and mixed use developments and will be at a minimum of ten (10) ft. in width. All sidewalks must meet the American with Disabilities ACT (ADA 1990) design guidelines. Sidewalks will connect to existing pedestrian facilities within the Historic Town Core.

A five (5) foot wide (minimum) planting strip is required and street furniture is strongly encouraged.



6.1.14 SIGNAGE

Businesses in the Historic Town Core (HTC) will have the ability to identify themselves to potential customers by on-premise signs that are visible from the street and sidewalks, while preventing visual clutter and confusion and maintaining the character of The Town of Varnville. Signs should be visible to pedestrians and motorists alike without causing distraction a potential danger. SCDOT standards for safety and visibility shall be followed. Signs should be maintained in a state of good repair at all times with messages on signs current.

The objectives to regulating signs in the HTC are:

1. To prevent the proliferation of signs that are distracting to motorists, reduce the effectiveness of traffic signs used for directing and warning the public and creating potential accidents.
2. To enable the public to locate goods, services, and facilities without excessive difficulty and confusion.
3. To prevent placement of signs that will conceal or obscure signs of neighboring businesses.
4. To maintain the character of the Town of Varnville

6.1.15 General Requirements

- a) In order to install a sign, a permit is needed from the Town of Varnville.
- b) Signs shall not obscure motorists' vision of any regulatory signs, traffic controls devices or street signs.
- c) Signs shall be constructed and maintained and in a state of good repair consistent with building code provisions. Messages on signs must be current, except for historical signs.
- d) No sign shall be illuminated by other than a steady, continuous light; neither intermittent nor flashing illumination will be permitted. Illumination shall be located, shielded, and directed so as to not be directly visible from any public street or residentially zoned property at grade level. All artificial illumination shall be designed, located, shielded and directed as to illuminate only the sign face and to prevent the casting of glare or direct light upon adjacent residential property or streets.
- e) No attention-getting devices, including pennants, streamers, festooned lights, "whirligigs," nor any sign which is designed to be moved by the wind shall be permitted, except once a year for a period not to exceed seven (7) days.

- f) Signs should be in the scale and proportion to the building and not detract from the architectural detail.
- H. No signs shall be placed in the Historic Town Core District, except those listed below.
 - A. **Wall Signs** shall be fixed flat against the wall of a building or on the face of a marquee wall. Signs shall be installed parallel to the building façade.
 - B. **Hanging Blade** signs shall be oriented toward pedestrians passing on the sidewalk. One (1) sign shall be permitted on each side that is serviced by pedestrian facilities.
 - 1. Blade signs should have two finished sides that are consistent on both sides.
 - 2. No part of the sign shall hang lower than eight (8) feet from the sidewalk or exceed four (4) feet in width from the façade. Decorative metal mounting brackets are strongly encouraged.
 - C. **Ground-Mounted Signs**
 - 1. Businesses with a minimum building setback of thirty (30) feet from the fronting right-of-way shall be permitted the use of a ground mounted sign in addition to any other permitted signage.
 - 2. The maximum height of such signs shall not exceed five (5) feet. The maximum area for such signs shall be no more than thirty-five (35) square feet.
 - D. **Window Signs** shall be placed on the interior side of the building. Signs painted on glass windows are allowed. No flashing signs are permitted
 - F. **Canopy Signs.** Canopy or awning signs shall meet the following criteria: A sign message on a canopy or awning shall contain only the name of the business and/or the type of business, type of goods sold, or services rendered. Each business is permitted up to one (1) sign hung under a canopy or awning provided the message on the sign is perpendicular to the building and the sign is at least eight and one half (8-1/2) feet above the surface of the sidewalk and is no more than four (4) square feet in size. If a wall sign is not used, a business is permitted to use up to one (1) canopy or awning sign.
 - G. One (1) **Sandwich board** is permitted if it is unlighted and removed at the end of each business day. It shall not disrupt pedestrian flow on the sidewalk and must remain within the business frontage. A sandwich board is not permitted on any roadway or curb. Signs shall not exceed three (3) feet six (6) inches in height and three (3) feet in width.

ILLUSTRATED VIEW: EXAMPLE Historic Town Core

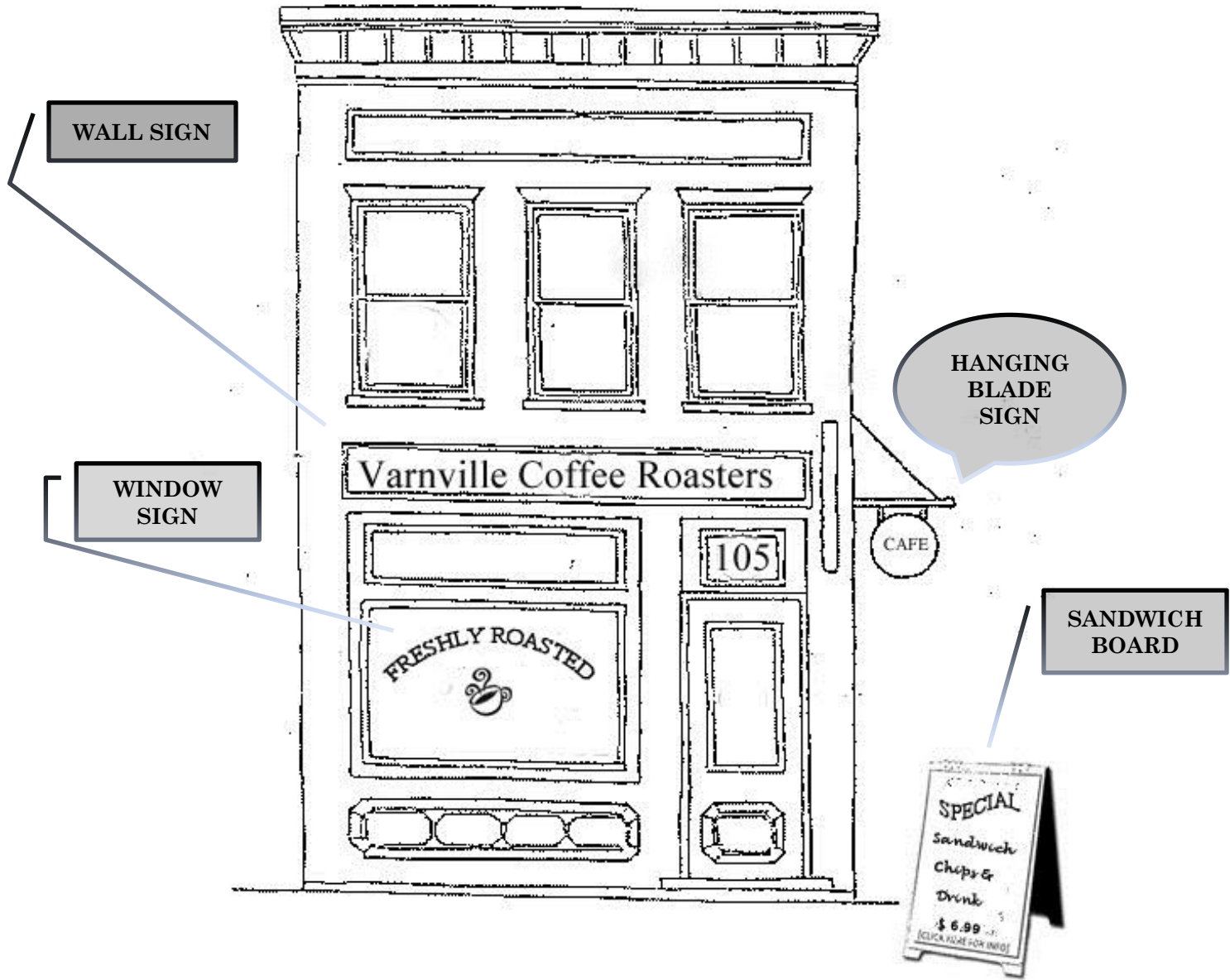


Figure 6.1: Illustrated View – HTC Signage

6.2.1 NEIGHBORHOOD COMMERCIAL DISTRICT

Purpose

The Neighborhood Commercial Districts (NCD) is designed to accommodate the development of small- to medium-scale retail stores and offices. Personal services and convenience goods are within close proximity of nearby residential communities. This district encourages development that is pedestrian oriented and scaled to the context of the nearby residential areas.

The NCD will align with the policy goals in the Comprehensive Plan by:

- **Regulating design, siting, and landscaping**
- **Improving pedestrian mobility options**
- **Emphasizing the district as a gateway**



Shallow setbacks, Lowcountry features, rear and street parking, attractive colors and signage make the above commercial properties ideal-type businesses in the NCD.

6.2.2 PERMITTED USES.

Uses permitted outright, or permitted with conditions in the NCD are shown in the following table. Uses not listed in this table are not permitted in the NCD, but may be allowed by a determination of similarity by the Town of Varnville Planning Commission.

Use	Permitted	Conditional
Athletic Club		X
Auto service station, fuel sales		X
Automatic Teller Machines	X	
Bakery (on-site baking and sales)	X	
Bank	X	
Bar, Tavern	X	
Barber, Beauty Shop	X	
Bed and Breakfast Inns		X
Bowling Alley, Skating Rink	X	
Brew Pub, Micro-brewery		X
Cabinetmaking/Woodworking Shop		X
Café, Restaurant	X	
Caterer		X
Clinic, intermediate care facility	X	
Community Center	X	
Community Garden		X
Convenience stores	X	
Day care center	X	
Farmer's Market	X	
Hotel, motel	X	
Laundry facility, Laundromat	X	
Museum	X	
Micro-retail (permanent structure)	X	
Mixed-use buildings	X	
Offices—Business, Government, Professional	X	
Public Safety and Public/Private		
Utility Structures		X
Single-family residential dwellings	X	
Studios (music, art, dance, photography, etc.)		X

Table 6.2: NC – Permitted Uses

6.2.3 CONDITIONAL USES. Location and approval of designated conditional uses shall be subject to *review* by the Town of Varnville Planning Commission. A conditional use may be approved, if it is demonstrated that the proposed use will be compatible with other uses and structures in the Neighborhood Commercial District and that it satisfies all relevant requirements of this ordinance and the following general criteria:

- A. The use is listed as a conditional use in the underlying zoning district;
- B. The use is consistent with the Comprehensive Plan
- C. The amount of new vehicular traffic generated by the use is not disruptive to the surrounding neighborhood;
- D. The parcel is suitable for the proposed use considering its size, shape and location;
- E. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
- F. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
- G. The use is or can be made compatible with existing uses and other allowable uses in the area.

In *approving* an application for a conditional use, the Planning Commission may impose conditions to protect the area surrounding the proposed use and to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to, the following:

- 1. Increasing the required parcel area or yard dimensions;
- 2. Limiting the height, size, or location of buildings and structures;
- 3. Controlling the location and number of vehicle access points;
- 4. Limiting the amount of traffic to be generated by the use;
- 5. Increasing the number of required off-street parking spaces;
- 6. Requiring fencing, screening, or landscaping to protect adjacent or nearby property;
- 7. Prescribing exterior finish for buildings or additions thereto.

6.2.4 NEIGHBORHOOD COMMERCIAL DEVELOPMENT STANDARDS

New construction is required to meet the following basic standards, as shown in in the following table. , unless incentives have been granted by the Town in return for specific conditions (see Section 6.5 "Zoning Incentives")

HC - Development Standards	
Setbacks	
Front	10 ft. minimum -30 ft. maximum
Side	0 ft.
Corner	10 ft.
Back	0 ft.
Bulk	
Lot Size	6,000 sq. ft. minimum – 65,000 sq. ft. maximum
Min. Frontage	50 ft.
Max. Building (% of lot size)	65 %
Residential Development	
Mixed Use -	Mixed use development standards in the Neighborhood Commercial will conform to Article_._._

Table 6.3: HC – Development Standards

6.2.5 SIGNAGE

Purpose:

Businesses in the Neighborhood Commercial District (NCD) will have the ability to identify themselves to potential customers by on-premise signs that are visible from the street and sidewalks, while preventing visual clutter and confusion and maintaining the character of The Town of Varnville. Signs should be visible to pedestrians and motorists alike without causing distraction and potential danger. SCDOT standards for safety and visibility shall be followed. Signs should be maintained in a state of good repair at all times with messages on signs current.

The objectives to regulating signs in the NCD are:

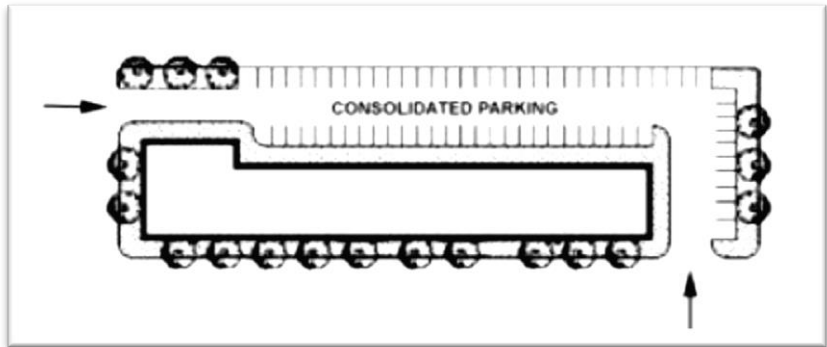
1. To prevent the proliferation of signs that are distracting to motorists, reduce the effectiveness of traffic signs used for directing and warning the public and creating potential accidents.
2. To enable the public to locate goods, services, and facilities without excessive difficulty and confusion.
3. To prevent placement of signs that will conceal or obscure signs of neighboring businesses.
4. To maintain the character of the Town of Varnville.

6.2.6 GENERAL REQUIREMENTS

1. No sign shall be erected, altered, or reconstructed unless a sign permit has been issued by the Town. The exception is one real estate marketing sign per street frontage.
2. Signs shall not obscure motorists' vision of regulatory signs, traffic controls devices or street signs.
3. Signs shall be maintained and in a state of good repair consistent with building code provisions. Messages on signs must be current.
4. No sign shall be illuminated by other than a steady, continuous light; neither intermittent nor flashing illumination will be permitted. Illumination shall be located, shielded, and directed so as to not be directly visible from any public street or residentially zoned property at grade level. All artificial illumination shall be designed, located, shielded and directed as to illuminate only the sign face and to prevent the casting of glare or direct light upon adjacent residential property or streets.
5. No attention-getting devices, including pennants, streamers, festooned lights, "whirligigs," nor any sign which is designed to be moved by the wind shall be permitted, except once a year for a period not to exceed seven (7) days.
6. Signs should be in the scale and proportion to the building and not detract from the architectural detail

6.2.7 PARKING

In order to preserve and improve the character of Varnville's neighborhoods, parking is strongly encouraged to be located in the rear of lots and will not be permitted in the right-of-way.



Marketing studies have shown that large—usually empty—parking lots in front of buildings actually discourage potential shoppers from stopping. As a result, builders and developers shall be encouraged, by means of the incentives discussed at the end of the Commercial districts, to locate a large portion of their parking to the side or rear of their facilities.

The Town of Varnville Planning Commission will also offer developers a case-by-case evaluation of required parking for new developments. Although a standard has been established at 1 off-street parking spot per 600 gross square feet of the primary building, and one (1) parking place per residential unit, this may not be the optimal standard for all developments. The case-by-case evaluation will be mutually beneficial to both the developer and The Town of Varnville by potentially reducing the cost for unneeded parking for the developer.

Added parking incentives can be found at the end of the chapter.

6.2.8 CASE-BY-CASE EVALUATION

Criteria for the case-by-case evaluation that will be used by the Town of Varnville Planning Commission when determining parking requirements include:

1. Adherence to other specifications in parking lot construction (orientation of parking, materials for lot surface, site design.)
2. Proximity of adjacent underutilized parking surfaces and overflow low-use areas
3. Projections for demand for parking with methodology for calculations
4. Case studies of similar projects and with project performance
5. Cost benefit analysis of proposed options with alternatives. Benefits should include reduced impervious surface, cost, flexibility in design and reduced environmental

6.2.9 LANDSCAPE AND BUFFERS.

Landscaping in the Neighborhood Commercial District (NCD) is intended to protect and preserve the appearance and character of the district. It should be maintained and enhanced around along Main Street around the key NCD intersections along main thoroughfares and the areas of designated off-street parking. Buffers are required for any off-street parking areas within the HTC in order to soften the impact of development.

Landscaping of off-street parking: The landscaping of the off-street parking facilities shall meet the following criteria:

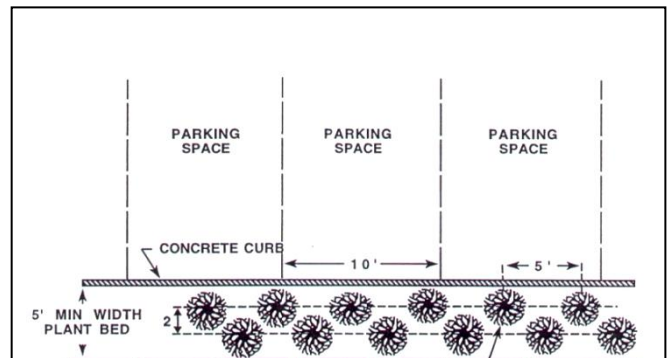
1. A landscape plan shall be submitted with the required site plan.
2. Landscaping shall be located so it does not obscure traffic signs or fire hydrants, or obstruct driver's sight distance within the parking areas and at driveway entrances and exits.
3. Landscaping should avoid major utilities.
4. All plant materials shall be installed as to not alter drainage patterns in the HTC.
5. Landscaping shall be disbursed throughout the parking lot in order to break up large expanses of pavement.
6. Minimum landscaping will include one (1) canopy tree per every five (5) spaces and one hundred (100) square feet of landscaping area per five (5) spaces.

6.2.11 BUFFERS AND SCREENING:

Buffers and screening shall only be required around off-street parking areas, trash receptacles, mechanical facilities, and loading areas.

1. A buffer is a portion of land usually in the form of linear strips maintained with natural or installed landscaping used to soften the impact of development. Buffers shall be located on the outer perimeter of the off-street parking facilities and contain grasses, shrubs and trees. The buffers shall be low-density screens intended to add to the beauty and character of the town while providing spatial separation between the parking area and the businesses. The buffer area shall be a minimum width of five (5) feet. The buffer area shall consist of a combination of twelve (12) ornamental shrubs, two (2) under story trees and landscaped grass areas, or other appropriate ground cover, per one hundred (100) linear feet. The shrubs may be clustered to ensure their survival. A sample site plan is illustrated by the following diagram.

2. If a commercial property in the Neighborhood Commercial District is adjacent to a residential property, a six (6) ft. wood, brick stone, or composite fence with periodic finials or decorative posts will be installed along any off street parking.



3. Loading docks, trash collection/dumpster bins, mechanical units and similar facilities will be fully contained and out of view from adjacent properties and public streets. Screening materials should be either brick, stone, or wood. The color of screening should complement that of the principal structure. The screening shall meet or exceed the height (up to eight (8) feet) of the use it is designed to shield.



6.3.1 HIGHWAY COMMERCIAL DISTRICT

Purpose

The Highway Commercial District (HWC) will provide abundant space for medium- to large-scale commercial and office uses along the U.S. 278 Corridor, complimenting Hampton County's comparable abutting Highway Commercial District, and creating, in the process, a Regional hub for commerce. While automobile travel will be predominant, developer incentives and design regulations will ensure a balance between automobile and pedestrian circulation to ensure safety. Pedestrian facilities will connect to the town core and nearby neighborhoods as well as provide options for future connectivity to regional bicycle and pedestrian systems. Attractive frontages and parking areas will appeal to visitors traveling through and invite visitors into the corridor retail business and service areas. Limited residential units will be permitted to offer regionally based work-force housing as well as choices for people in varying incomes and life stages.

The district plays an important role in implementing the Town of Varnville's Comprehensive Plan by

- **Improving Transportation Corridors**
- **Diversifying the Economy**
- **Enhancing the Community Gateway**

6.3.2 PERMITTED USES. Uses permitted outright or permitted with conditions and special exceptions in the HCD are shown in the following table. Uses not listed in this table are not permitted in the HCD, but may be allowed by a determination of similarity by the Town of Varnville Planning Commission.

Use	Permitted	Conditional
Agriculture/Horticulture		X
Auction	X	
Auto Repair	X	
Auto Sales	X	
Bar/Pub/Micro-Brewery	X	
Building and Landscape Sales	X	
Church		X
Fast Food (Drive-thru)	X	
Furniture Store	X	
Gas station	X	
Grocery Store	X	
Hotel		X
Funeral Home/Mortuary		X
Movie Plax/Theater	X	
Office	X	
Shopping Center	X	
Public Utility		X
Veterinary Service	X	
Restaurant	X	
Waterpark		X
Wholesale Clubs	X	
Urgent Care	X	
Print Shop	X	
Visitor's Center/Museum	X	

6.3.3 CONDITIONAL USES.

Location and approval of designated conditional uses shall be subject to *review* by the Town of Varnville Planning Commission. A conditional use may be approved, if it is demonstrated that the proposed use will be compatible with other uses and structures in the Highway Commercial District and that it satisfies all relevant requirements of this ordinance and the following general criteria:

1. The use is listed as a conditional use in the underlying zoning district;
2. The use is consistent with the Comprehensive Plan
3. The amount of new vehicular traffic generated by the use is not disruptive to the surrounding neighborhood;
4. The parcel is suitable for the proposed use considering its size, shape and location;
5. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
6. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and,
7. The use is or can be made compatible with existing uses and other allowable uses in the area.

In *approving* an application for a conditional use, the Planning Commission may impose conditions to protect the area surrounding the proposed use and to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to, the following:

- a) Increasing the required parcel area or yard dimensions;
- b) Limiting the height, size, or location of buildings and structures;
- c) Controlling the location and number of vehicle access points;
- d) Limiting the amount of traffic to be generated by the use;
- e) Increasing the number of required off-street parking spaces;
- f) Requiring fencing, screening, or landscaping to protect adjacent or nearby property;
- g) Prescribing exterior finish for buildings or additions thereto.

6.3.4 HIGHWAY COMMERCIAL DISTRICT DEVELOPMENT STANDARDS

New construction is required to meet the following basic standards, as shown in the following table, unless incentives have been granted by the Town in return for specific conditions (see Section 6.5, “Zoning Incentives”).

HCD – Development Standards	
Minimum lot size	25,000 sq. ft.
Minimum lot width	100 ft.
Front setback	25 ft.
Side setback	25 ft.
Corner side yard	25 ft.
Rear yard	50 ft.
Maximum building size (% of total lot)	45%
Maximum height	40 ft.

Table 5.4 HCD – Development Standards

6.3.5 HIGHWAY COMMERCIAL BUILDING DESIGN GUIDELINES

Purpose: The Highway Commercial District (HCD) will serve as a regional/local hub for commerce in the County. As an integral part of the U.S. 278 Corridor, which serves as a gateway to the community, it is important to strengthen the sense of place by reflecting the heritage and character of Varnville and the Lowcountry Region.



Supermarkets can be designed to reflect the buildings in adjacent neighborhoods with smaller setbacks and pedestrian access.

The unique needs of the district as a gateway will require that new development should have:

1. Architectural styles that reflect the heritage of the Town of Varnville and the Lowcountry Region.
2. Varied roofing. Long flat roof lines are not permitted unless it is capped by an articulated parapet design. False roofs are strongly discouraged.
3. Variation in the front wall plane. Windows that are set in and archways are encouraged. Breaking up the building mass will add visual interest to the site. Large areas of blank facades will be avoided.
4. Details that set the entrance apart from other portions of the building. The use of porches, colonnades, canopies or awnings is encouraged.
5. A historic Lowcountry color palate. The main color theme is suggested to be a muted natural color with other colors as accents.
6. Exterior materials of wood, concrete stucco, brick, and/or natural stone.



Varied building sizes and shapes, landscaping, paved surfaces, lighting and color make this shopping center an appealing place to visit.

6.3.6 PARKING

Retail and commercial uses in the Highway Commercial District should make provision to provide bicycle parking facilities and provide (1) one off-street parking spot per 300 gross square feet of the primary building. The number of bicycle parking facilities to equal 10% of the total vehicular parking spots.

Orientation of Parking Lots

Parking for commercial and retail building should also be orientated in the rear or side of the building and not in front, to help create and maintain the pedestrian scale of this district.

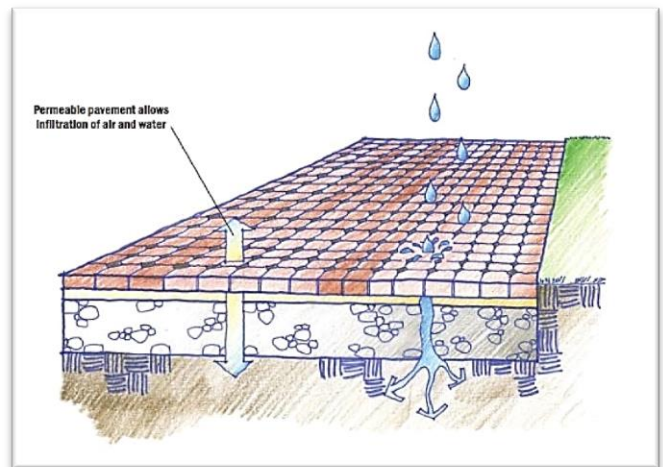
Shopping centers may choose to have the main building setback in front the parking lot with additional retail units lining the frontage with an avenue up the middle for a village-like setting.

Material

Efforts should be made to incorporate pervious materials into the site plan and eventually the construction of parking lots.

Example options include:

- Poursous Asphalt
- Pervious Concrete
- Pervious Block Pavers



Pervious pavers and bricks are frequently used in commercial developments. Pervious parking techniques reduce storm water runoff, decrease its impact on the natural systems, all while still providing ample parking in all of the Commercial Districts.

6.3.7 CASE-BY-CASE EVALUATION OPTION

The Town of Varnville Planning Commission will also offer developers a case-by-case evaluation of required parking for new developments. The case-by-case evaluation will be mutually beneficial to both the developer and The Town of Varnville by potentially reducing the cost for unneeded parking for the developer, possibly fostering shared parking facilities between businesses and organizations while protecting the natural systems, storm water runoff, urban heat-island effect and other environmental concerns.

Criteria for the case-by-case evaluation that will be used by the Town of Varnville Planning Commission when determining parking requirements include:

1. Adherence to other specifications in parking lot construction (orientation of parking, materials for lot surface, site design.)
2. Proximity of adjacent underutilized parking surfaces
3. Projections for demand for parking with methodology for calculations
4. Examples, case studies, and similar projects and with project performance
5. Cost benefit analysis of proposed options with alternatives. Benefits should include reduced impervious surface, cost, and flexibility in design and reduced environmental impact.

6.3.8 COMMUNITY CONNECTIVITY

Existing street patterns in adjacent existing communities and neighborhoods should be continued in new development and redevelopment. In addition to the street pattern, sidewalks, bicycle lanes, greenways, and walking trails should be incorporated into new development, providing mobility options through a variety of modes. Additionally, this type of development will allow business patrons to get out of their vehicles, mingle and spend more time purchasing goods and services.

Sidewalks

All new developments will have a minimum of a five (5) foot sidewalk along the frontage. Sidewalks must connect storefronts with parking and community pedestrian systems. A planting strip along pedestrian systems is strongly encouraged.



Walking paths not only connect the different commercial uses in the development but also to adjacent neighborhoods and uses.



6.3.9 SIGNAGE

Businesses in the Highway Commercial District (HCD) will have the ability to identify themselves to potential customers by on-premise signs that are visible from the street and sidewalks, while preventing visual clutter and confusion and maintaining the character of The Town of Varnville. Signs should be visible to pedestrians and motorists alike without causing distraction and potential danger. SCDOT standards for safety and visibility shall be followed. Signs should be maintained in a state of good repair at all times with messages on signs current.

The objectives to regulating signs in the HCD are:

1. To prevent the proliferation of signs that are distracting to motorists, reduce the effectiveness of traffic signs used for directing and warning the public and creating potential accidents.
2. To enable the public to locate goods, services, and facilities without excessive difficulty and confusion.
3. To prevent placement of signs that will conceal or obscure signs of neighboring businesses.
4. To maintain the character of the Town of Varnville.

6.3.10 General Requirements

1. No sign shall be erected, altered, or reconstructed unless a sign permit has been issued by the Town. The exception is one real estate marketing sign per street frontage.
2. Signs shall not obscure motorists' vision of regulatory signs, traffic controls devices or street signs. Signs shall be maintained and in a state of good repair consistent with building code provisions. Messages on signs must be current.
3. No sign shall be illuminated by other than a steady, continuous light; neither intermittent nor flashing illumination will be permitted. Illumination shall be located, shielded, and directed so as to not be directly visible from any public street or residentially zoned property at grade level. All artificial illumination shall be designed, located, shielded and directed as to illuminate only the sign face and to prevent the casting of glare or direct light upon adjacent residential property or streets.
4. No attention-getting devices, including pennants, streamers, festooned lights, "whirligigs," nor any sign which is designed to be moved by the wind shall be permitted, except once a year for a period not to exceed seven (7) days.
5. Signs should be in the scale and proportion to the building and not detract from the architectural detail

6.3.11 LANDSCAPING AND BUFFERS

Landscaping in the HCD is intended to protect the appearance and character of the street, provide a safe and attractive place for pedestrians, and promote balance between nature and the built environment. Buffers are required for to soften the impact of development on adjacent properties, buffering between any possible incompatible land uses.

Landscaping for Off-Street Parking:

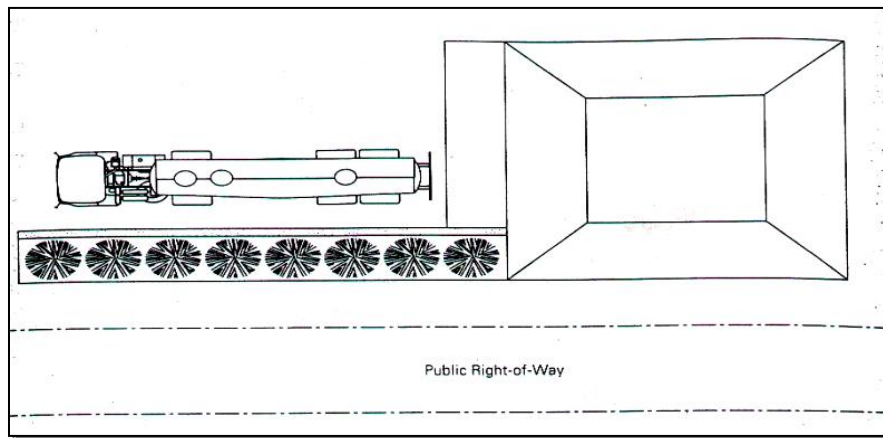
1. A landscape plan shall be submitted with the required site plan.
2. Landscaping shall not be located so it does not obscure traffic signs, fire hydrants, and drivers' sight distance within parking areas and at driveway entrances and exits.
3. Landscaping shall be distributed throughout the parking lot in order to break up large expanses of pavement
4. Minimum landscaping standards will include one canopy tree per five parking spaces and 100 square feet of landscaping per five spaces.
5. Permeable surfaces are required to reduce the impact of storm water run-off created by development. Paving with impervious surfaces shall be limited to fifty percent of the parking area surface.
6. Bioswales, and green storm water management systems within parking lots are encouraged
7. Native vegetation is encouraged for landscaping and buffer areas.

6.3.12 BUFFERS

Buffer areas are required in the HCD to screen commercial development from adjacent residential uses, thereby preventing land use incompatibilities. Buffer areas shall include a solid fence to screen commercial areas activities from residential uses.

6.3.13 LOADING ZONES

All loading must be done from the side or rear of the Highway Commercial District. Loading from the rear of the business shall be screened to prevent intrusion upon adjacent land uses. Uses that are abutting or adjacent to hotel and residential uses shall limit the noise and hours from 7 am to 9 pm of loading and unloading to prevent a possible nuisance to these adjacent land uses. The diagram on the next page highlights an acceptable example. The placement of loading and unloading facilities should be located to decrease any issues with traffic flow.



6.3.14 OUTDOOR STORAGE AND TRASH COLLECTION

Outdoor storage areas exert visual and noise impacts on their surroundings. These areas, when visible from adjoining properties and/or public streets, should be screened, recessed or enclosed.. Appropriate locations for outdoor storage areas include areas between buildings, where more than one building is located on a site and such buildings are not more than 40 feet apart, or on those sides of buildings that do not have customer entrances.

- a. Areas for outdoor storage, truck parking, trash collection or compaction or other such uses shall not be visible from public or private rights-of-way.
- b. No areas for outdoor storage, trash collection or compaction or other such uses shall be located within 20 feet of any public or street, public sidewalk, or internal pedestrian way.
- c. Outdoor storage, utility meters, HVAC equipment, trash dumpsters, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention is attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape.
- d. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. Materials, colors, and designs of screening walls and/or fences and the cover shall conform to those used as predominant materials and colors of the building. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors on the buildings.

6.4 TRAFFIC

Large-scale retail permitted in the HCD will increase traffic flow on the highway where it is located and possibly also on nearby roads and streets.

Presently, except for at limited times and in only a very few places, Varnville enjoys relatively low traffic flows and smooth movement. As a result, as shown by the most by the most recent data from the SC Department of Public Safety, the Town's intersections do not appear on the "Crash" tables.

To maintain both the flow and the safety, while encouraging retail development, traffic impact studies shall be required for all new developments with more than 100,000 square feet of retail space.

A traffic impact study assesses the impact of a proposed development on the transportation system. Its purposes are

- (1) To ensure that proposed developments do not adversely affect the transportation network,
- (2) To identify any traffic problems associated with access from the site to the existing transportation network,
- (3) To delineate solutions to potential problems, including but not limited to the provision of acceleration/deceleration (turning) lanes or the installation of traffic signals, and
- (4) To present improvements to be incorporated into the proposed development.

The primary responsibility for assessing the traffic impacts associated with a proposed development rests with the property owner or developer, with the Varnville Planning Commission serving in a review capacity. If a traffic impact study is required, the applicant will be responsible for submitting a formal traffic impact report. The applicant will be able to utilize the Lowcountry Travel Demand Model to assess the expected impacts.

6.5 DEVELOPER INCENTIVES

It is the purpose of this section to provide incentives to help achieve Town of Varnville's zoning and Comprehensive Plan goals of providing for new development and redevelopment that will mirror the community's existing patterns and building types as well as encourage a pedestrian-oriented, connected environment. Incentives are offered as opportunities to property owners and developers as a vehicle to meet specific development goals while providing benefits to the overall community.

Such benefits shall not be considered an inherent right but shall be considered a privilege extended by the Town. Incentives are designed to allow specific benefits to property owners, developers and end users of a property and not for the purpose of circumventing any other provisions of this ordinance.

There are several incentives that are offered by the Town of Varnville to help further the goals of the Comprehensive Plan and the vision of the community, while also providing potential financial benefits to the developer and/or builder.

For the purposes of this section, public benefit features are not considered to be the principal use on a zoning lot, but rather an accessory feature or use complimentary to the principal uses(s).

The incentives provide for increases in density or decreases in required parking, lot size, lot coverage or setbacks in exchange for the inclusion of one or more public benefit features, as listed below:

- 6.5.1 Exterior Design Density Incentive.** Commercial developments that restrict buildings to designs that reflect the traditional “Lowcountry” features of Varnville are eligible to receive a density bonus of ten (10) percent **OR** a twenty (20) percent reduction in parking spaces required. The density bonus would mean that the developer could use 49.5 percent of the lot for a building instead of 45 percent. For a 10,000 square foot lot, this would mean 4950 square feet of space instead of 4500. For a 2.5-acre lot in the Highway Commercial District, the permitted building size would thereby increase by nearly 5,000 square feet—from 49,000 to almost 54,000 square feet, increasing retail rental income proportionately every year.
- 6.5.2 Traditional Grid Pattern Incentive.** Commercial developments that are designed as extensions of The Town of Varnville’s traditional “grid” street pattern are also eligible to receive a density bonus of ten (10) percent **OR** a twenty (20) percent reduction in parking spaces required.
- 6.5.3 Pedestrian Walkways Incentive.** Developments which install a system of pedestrian walkways that connect to the existing sidewalk circulation system of the Town of Varnville are eligible to receive a density bonus of ten (10) percent **OR** a twenty (20) percent reduction in parking spaces required.
- 6.5.4 Rear Parking Incentive.** Commercial developments that locate parking to the rear of the commercial building(s) are eligible to receive a density bonus of ten (10) percent **OR** a twenty (20) percent reduction in parking spaces required.

The following photo illustrates the results when a chain store in a rural area in the Lowcountry was built according to this principle.



Lowcountry Design Translated to a New Family Dollar Store

Article VII — Medical Overlay District (MOD)

7.1 PURPOSE. The purpose of the Medical Overlay District is to allow flexibility, in a coordinated manner, in zones that are nearby and contain Hampton Regional Medical Center. Ancillary uses to the health care sector will support a growing industry in Varnville and Hampton County. The zone will help implement goals of the comprehensive plan by permitting future uses to respond and adapt to new technology that will improve the quality of life for residents and by provide residents the opportunity to age in place. Flexibility will allow limited small-scale commercial and residential uses within the underlying zones. Health Care-related and ancillary uses may operate within the hospital or standalone within the overlay zone area.



Area healthcare businesses are side-by-side complimenting nearby large-scale medical facilities.

7.2 PERMITTED USES. The following uses are permitted. Certain uses are permitted only after conditions have been met to protect the core character of the neighborhoods. Some uses have special characteristics, which otherwise may affect the surrounding neighborhood, therefore require special considerations. Such uses shall not be incompatible with the type of uses permitted by right.

Table 7.1:
Medical
Overlay -
Permitted
Uses

Use	Permitted	Conditional	SE
Pharmacy, limited to medical-related supplies	X		
Coffee Shop	X		
Restaurant, no drive-thru		X	
Kidney Dialysis Center	X		
Physical Therapy Clinic	X		
Dental Office	X		
Doctor's Office	X		
Imaging Center	X		
Medical Laboratory	X		
Nursing Home			X
Neighborhood Park	X		
Assisted Living Apartments			X
General Office		X	

7.3 CONDITIONAL USES. Location and approval of designated conditional uses shall be subject to *review* by the Town of Varnville Planning Commission. A conditional use may be approved, if it is demonstrated that the proposed use will be compatible with other uses and structures in the neighborhood and that it satisfies all relevant requirements of this ordinance and the following general criteria:

- H. The use is listed as a conditional use in the underlying zoning district;
- I. The use is consistent with the Comprehensive Plan
- J. The amount of new vehicular traffic generated by the use is not disruptive to the surrounding neighborhood;
- K. The parcel is suitable for the proposed use considering its size, shape and location;
- L. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
- M. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
- N. The use is or can be made compatible with existing uses and other allowable uses in the area.

In *approving* an application for a conditional use, the Town of Varnville Planning Commission may impose conditions to protect the area surrounding the proposed use and to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to, the following:

- 8. Increasing the required parcel area or yard dimensions;
- 9. Limiting the height, size, or location of buildings and structures;
- 10. Controlling the location and number of vehicle access points;
- 11. Limiting the amount of traffic to be generated by the use;
- 12. Increasing the number of required off-street parking spaces;
- 13. Requiring fencing, screening, or landscaping to protect adjacent or nearby property;
- 14. Prescribing exterior finish for buildings or additions thereto.

7.4 SPECIAL EXCEPTIONS. Special exceptions shall also be reviewed by the Town of Varnville Planning Commission for a determination of conformance. The review and approval procedures and the factors and conditions which will be evaluated by the Planning Commission are the same as those discussed in “Conditional Uses” (above).

7.5 DEVELOPMENT STANDARDS

Development Standards for commercial and office activities will be the same as those set forth by the Neighborhood Commercial District. All other uses shall comply with the underlying districts.

Table 7.2
Medical
Overlay
Development
Standards

Development Standards	
Setbacks	
Front	10 ft. minimum -30 ft. maximum
Side	0 ft.
Corner	10 ft.
Back	0 ft.
Bulk	
Lot Size	6,000 sq. ft. minimum – 65,000 sq. ft. maximum
Min. Frontage	50 ft.
Max. Building (% of lot size)	65 %

7.6 LANDSCAPE AND BUFFERS.

Commercial uses within the medical overlay district will comply with the following regulations. All other uses will comply with the underlying zoning district.

Landscaping within the Medical Overlay is intended to protect and preserve the appearance and character of the underlying district. It should be maintained along intersections, main thoroughfares and the areas of designated off-street parking. Buffers are required for any off-street parking areas within the Medical overlay in order to soften the impact of development.



Building and landscape design enables healthcare offices to blend well with nearby residential neighborhoods.

7.7 LANDSCAPING OF OFF-STREET PARKING: The landscaping of the off-street parking facilities shall meet the following criteria:

7. A landscape plan shall be submitted with the required site plan.
8. Landscaping shall be located so it does not obscure traffic signs or fire hydrants, or obstruct driver's sight distance within the parking areas and at driveway entrances and exits.
9. Landscaping should avoid major utilities.
10. All plant materials shall be installed as to not alter drainage patterns in the Medical Overlay District.
11. Landscaping shall be disbursed throughout the parking lot in order to break up large expanses of pavement.
12. Minimum landscaping will include one (1) canopy tree per every five (5) parking spaces and one hundred (100) square feet of landscaping area per five (5) parking spaces.



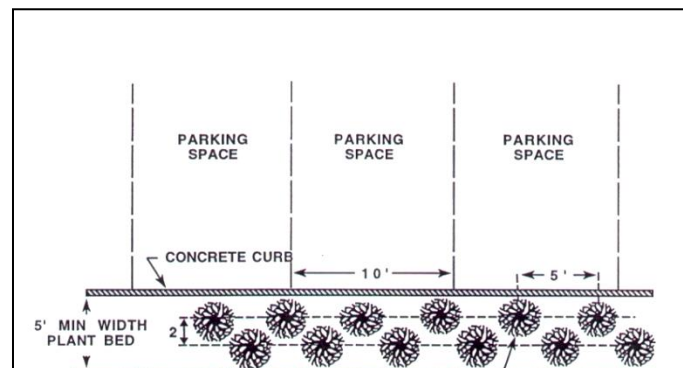
An area healthcare facility utilizes landscaping to break up large areas of pavement which interest and shade to the site

7.8 BUFFERS AND SCREENING. Commercial uses within the medical overlay district will comply with the following regulations. All other uses will comply with the underlying zoning district.

1. Buffers and screening shall only be required around off-street parking areas, trash receptacles, mechanical facilities, and loading areas. A buffer is a portion of land usually in the form of linear strips maintained with natural or installed landscaping used to soften the impact of development. Buffers shall be located on the outer perimeter of the off-street parking facilities and contain grasses, shrubs and trees. The buffers shall be low-density screens intended to add to the beauty and character of the town while providing spatial separation between the parking area and the businesses. The buffer area shall be a minimum width of five (5) feet. The buffer area shall consist of a combination of twelve (12) ornamental shrubs, two (2) under story trees and landscaped grass areas, or other appropriate ground cover, per one hundred (100) linear feet. The shrubs may be clustered to ensure their survival. A sample site plan is illustrated by the following diagram.



2. If a commercial property in the Medical Overlay District is adjacent to a residential property, a six (6) ft. wood, brick stone, or composite fence with periodic finials or decorative posts will be installed along any off street parking.



3. Loading docks, trash collection/dumpster bins, mechanical units and similar facilities will be fully contained and out of view from adjacent properties and public streets. Screening materials should be either brick, stone, or wood. The color of screening should complement that of the principal structure. The screening shall meet or exceed the height (up to eight (8) feet) of the use it is designed to shield.

ARTICLE VII — LIMITED INDUSTRIAL DISTRICT (LID)

8.1 PURPOSE. LID zoning will allow a range of activity in light manufacturing, assembly and warehousing activities to support a vibrant economy in Varnville. The uses will not become a nuisance (dust, noise, odors, or fumes) to adjacent neighborhoods. Heavy industrial uses will not be permitted. Development within this zone will be screened from residential and commercial areas by the use of landscaping, fences and other approved barriers. The Limited Industrial District will align with the Comprehensive Plan by providing adequate space for industries that utilize a highly-skilled workforce and create a diversified economy in the Town of Varnville.

8.2 PERMITTED USES. Uses permitted outright, or permitted with conditions, or permitted as special exceptions in the LID are shown in following table. All business, service, storage and display of goods within all permitted uses, including “conditional uses” and “special exceptions” shall be operated either within a completely enclosed building or within an area screened from view from adjacent properties. Uses not listed in this table are not permitted in the LID, but may be allowed by a determination of similarity by the Town of Varnville Planning Commission.

Table 8.1: LID – Permitted Uses

Use	Permitted	Conditional Use	Special Exception
Agriculture, Horticulture, Silviculture	x		
Airport		x	
Animal Hospital, Veterinarian Clinic	x		
Bakery, large-scale operations, with or without on-site sales	x		
Bulk sales of building and landscaping materials, including gravel, lumber, mulch, and similar materials	x		
Cesspool builder and sales		x	
Cold Storage Locker	x		
Commercial Laboratory	x		
Crematorium		x	
Dry Cleaner, Laundry, Cleaning Plant, Industrial Laundry	x		
Equipment Sales Or Storage Yard	x		
Wholesale Greenhouse	x		
Junk/Salvage Yards			x
Kennels			x
Manufacturing, Assembly, Wholesale Operations	x		
Public safety and public utility structures	x		
Radio and television station		x	
Sawmill, Lumber Yard	x		
Sewerage Disposal Plant		x	
Storage, Mini-Warehouse		x	
Telecommunications Towers	x		
Warehouse, Distribution Center	x		

8.3 CONDITIONAL USES.

Location and approval of designated conditional uses shall be subject to *review* by the Town of Varnville Planning Commission. A conditional use may be approved, if it is demonstrated that the proposed use will be compatible with other uses and structures in the neighborhood and that it satisfies all relevant requirements of this ordinance and the following general criteria:

- A. The use is listed as a conditional use in the underlying zoning district;
- B. The use is consistent with the Comprehensive Plan
- C. The amount of new vehicular traffic generated by the use is not disruptive to the surrounding neighborhood;
- D. The parcel is suitable for the proposed use considering its size, shape and location;
- E. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
- F. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
- G. The use is or can be made compatible with existing uses and other allowable uses in the area.

In *approving* an application for a conditional use, the Town of Varnville Planning Commission may impose conditions to protect the area surrounding the proposed use and to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to, the following:

- 1. Increasing the required parcel area or yard dimensions;
- 2. Limiting the height, size, or location of buildings and structures;
- 3. Controlling the location and number of vehicle access points;
- 4. Limiting the amount of traffic to be generated by the use;
- 5. Increasing the number of required off-street parking spaces;
- 6. Requiring fencing, screening, or landscaping to protect adjacent or nearby property;
- 7. Prescribing exterior finish for buildings or additions thereto.

8.4 SPECIAL EXCEPTIONS. Special exceptions shall also be reviewed by the Town of Varnville Planning Commission for a determination of conformance. The review and approval procedures and the factors and conditions which will be evaluated by the Planning Commission are the same as those discussed in “Conditional Uses” (above).

8.5 Varnville Airport

Utilize the standards set forth in the Federal Aviation Administration's (FAA) **Advisory Circular No: 150/51&-48A** Model Zoning Ordinance (attached as Appendix A) to prevent encroachment by incompatible development and land uses that would interfere with safe aviation operations and future airport expansion.

The objective of regulating land on and around the airport is to assure that future uses of the land are compatible with airport operations to protect and preserve the airport and the public investment in the airport.

The following incompatible new use will not be permitted near the airport:

- Residential and other noise sensitive uses.
- Congregations of people in approach and departure areas to protect people and property on the ground.
- Man made and natural structures that can interfere with flight.
- Uses which may be affected by vibration or fumes from aircraft operations.
- Uses of land on the airport that interfere with areas needed for aviation related activities.

8.6 DEVELOPMENT STANDARDS

LID Development Standards	
Minimum lot size	20,000 sq. ft.
Minimum lot width	150 ft.
Front setback	35 ft.
Side setback	25 ft.
Corner side yard	25 ft.
Rear yard	25 ft.
Maximum building size (% of total lot)	45%



Table 8.2: LID – Development Standards

8.7 SIGNAGE.

- A. **Visibility.** No sign shall interfere with visibility for automobile or pedestrian traffic.
1. In order to ensure adequate sight distance for motorists, bicyclists and pedestrians, a minimum clear vision area shall be maintained between a height of two (2) feet and six (6) feet within a triangular area measured twenty-five (25) feet back from intersection of public right-of-way lines.
 2. Greater clear vision areas may be required by the South Carolina Department of Transportation.
 3. Signs shall not be permitted where they obstruct motorist vision of regulatory signs, traffic control devices or street signs.
- B. Every sign shall be constructed and maintained in a manner consistent with the building code provisions and in good structural condition at all times.
- C. No sign shall be illuminated by other than a steady, continuous light, nor shall any intermittent or flashing illumination be permitted.
- D. Each business shall be allowed a total of two (2) signs.
- E. The total square footage for all signs of each business shall not exceed one hundred (100) square feet.
- F. The maximum height of any free-standing sign shall be ten (10) feet.

G. The following signs shall be allowed:

1. Election signs (must be taken down within 48 hours of election)
2. Directional signs
3. Parking and traffic signs
4. Temporary construction signs
5. Real estate marketing signs. One (1) sign per street frontage pertaining to the sale or lease of the premises. The sign shall have a maximum of six (6) square feet in surface area per side and be a maximum of three and one-half (3.5) feet high.

8.8 ON-SITE PARKING. On-site parking shall be provided for light industrial uses at the following standards:

- A. Warehousing. One (1) space per two thousand (2000) square feet
- B. All other industrial uses. One (1) space per seven hundred fifty (750) square feet.
- C. Parking shall be landscaped and screened according to the requirements in the section below.



A regional assembly industry uses landscaping to buffer parking and loading.

8.9 LANDSCAPE AND BUFFERS.

Landscaping in the LID is intended to protect and preserve the appearance of adjacent neighborhoods. It should be maintained and enhanced around the key LID intersections, along main thoroughfares and the areas of designated off-street parking. Buffers are required for any off-street parking areas adjacent to residential uses to soften the impact of development.

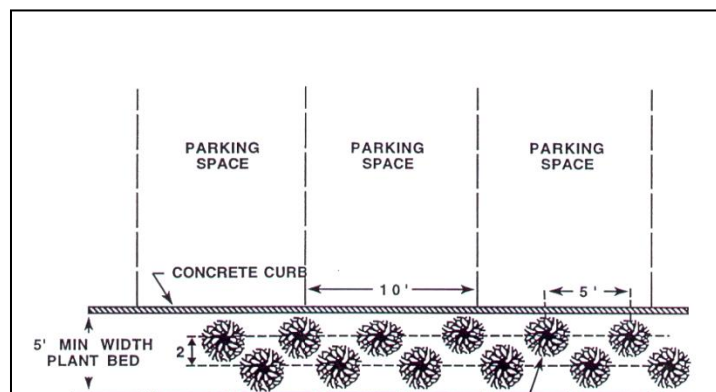
Landscaping of off-street parking: The landscaping of the off-street parking facilities shall meet the following criteria:

1. A landscape plan shall be submitted with the required site plan.
2. Landscaping shall be located so it does not obscure traffic signs or fire hydrants, or obstruct driver's sight distance within the parking areas and at driveway entrances and exits.
3. Landscaping should avoid major utilities.
4. All plant materials shall be installed as to not alter drainage patterns in the LID.
5. Landscaping shall be disbursed throughout the parking lot in order to break up large expanses of pavement.
6. Minimum landscaping will include one (1) canopy tree per every five (5) parking spaces and one hundred (100) square feet of landscaping area per five (5) parking spaces.

8.10 BUFFERS AND SCREENING: Buffers and screening shall only be required around off-street parking areas, trash receptacles, mechanical facilities, and loading areas.

A buffer is a portion of land usually in the form of linear strips maintained with natural or installed landscaping used to soften the impact of development. Buffers shall be located on the outer perimeter of the off-street parking facilities and contain grasses, shrubs and trees. The buffers shall be low-density screens intended to add to the beauty and character of the town while providing spatial separation between the parking area and the businesses. The buffer area shall be a minimum width of five (5) feet. The buffer area shall consist of a combination of twelve (12) ornamental shrubs, two (2) under story trees and landscaped grass areas, or other appropriate ground cover, per one hundred (100) linear feet. The shrubs may be clustered to ensure their survival. A sample site plan is illustrated by the following diagram.

- 1) If a Limited Industrial property is adjacent to a residential property, a six (6) ft. wood, brick stone, or composite fence with periodic finials or decorative posts will be installed along any off street parking.



- 2) Loading docks, trash collection/dumpster bins, mechanical units and similar facilities will be fully contained and out of view from adjacent properties and public streets. Screening materials should be either brick, stone, or wood. The color of screening should complement that of the principal structure. The screening shall meet or exceed the height (up to eight (8) feet) of the use it is designed to shield.

ARTICLE IX — RECREATIONAL/OPEN SPACE

9.1 PURPOSE

The Recreational/Open Space (REC/OS) district's purpose is to provide space for recreation, exercise, and community/family events. The District offers nearby residential neighborhoods convenient access to existing and potential facilities that can increase the value of housing and the general well-being of residents. Uses that are not compatible with recreation and the preservation of natural and cultural resources shall not be permitted.



The REC/OS district aligns with the Comprehensive Plan by identifying potential areas for the development of new recreational sites that reach all residents of Varnville. Thoughtful designation of REC/OS Districts will meet another goal, which is to encourage the creation of more public green space for environmental, social, and economic benefit.

9.2 PERMITTED USES

Uses permitted outright, or permitted with conditions in the REC/OC are shown in the following table. Uses not listed in this table are not permitted in the REC/OC, but may be allowed by a determination of similarity by the Town of Varnville Planning Commission.

Use	Permitted	Conditional
Cemeteries		x
Community Center		
Community Gardens		x
Dog Parks		x
Stormwater Ponds		x
Multiuse Trails	x	
Park	x	
Recreation Area	x	
Restrooms	x	
Shelter/Pavilion	x	
Public Swimming Pool		x
Historic Site	x	
Museum	x	

Table 9.1: REC/OS Permitted Uses

9.3 CONDITIONAL USES. Location and approval of designated conditional uses shall be subject to *review* by the Town of Varnville Planning Commission. A conditional use may be approved, if it is demonstrated that the proposed use will be compatible with other uses and structures in the Recreational/Open Space District and that it satisfies all relevant requirements of this ordinance and the following general criteria:

- H. The use is listed as a conditional use in the underlying zoning district;
- I. The use is consistent with the Comprehensive Plan
- J. The amount of new vehicular traffic generated by the use is not disruptive to the surrounding neighborhood;
- K. The parcel is suitable for the proposed use considering its size, shape and location;
- L. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
- M. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
- N. The use is or can be made compatible with existing uses and other allowable uses in the area.

In *approving* an application for a conditional use, the Planning Commission may impose conditions to protect the area surrounding the proposed use and to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to, the following:

- I. Increasing the required parcel area or yard dimensions;
- J. Limiting the height, size, or location of buildings and structures;
- K. Controlling the location and number of vehicle access points;
- L. Limiting the amount of traffic to be generated by the use;
- M. Increasing the number of required off-street parking spaces;
- N. Requiring fencing, screening, or landscaping to protect adjacent or nearby property;

9.4 SIGNAGE. The following regulations apply to signs in the REC/OS District:

- A. All signs erected in REC/OS District must be composed of natural materials or materials that closely resemble natural materials.
- B. Signs in the REC/OS District are limited to one (1) free-standing sign per street facing side, not to exceed six (6) feet in height or twenty (20) square feet, plus one wall sign per building, not to exceed five (5) percent of that wall's surface area.
- C. Small directional signs are permitted in parks and recreational facilities, provided they are part of a sign plan, follow a consistent design, and do not create visual clutter.
- D. Animated, lighted and flashing signs; signs with moveable letters; and parked vehicles with messages are not permitted.

9.5 ON-SITE PARKING. On-site parking shall be provided for REC/OS District at the following standards:

Parking Spaces Required	
Use	Standard
Park/Playground	1 per 1000 sq. ft. of developed recreational area
Community Center	1 per 1000 sq. ft.
Pool	1 per 400 sq. ft. of pool surface
Active Recreation	1 per acre
Passive Recreation	1 per acre, under 50 acres and 1 per 3 acres, over 50 acres

Table 9.2: REC/OS Parking Spaces

9.6 DEVELOPMENT STANDARDS

New construction of the Permitted and Conditional Uses is required to meet the following basic standards:

Minimum Lot Size	1 acre
Minimum Sign setback	15 ft.
Minimum Frontage	0
Minimum Front Setback	35 ft.
Minimum Side Setback	25 ft.
Minimum Rear Setback	10 ft.
Maximum Height	25 ft.

Table 9.3: REC/OS – Development



Figure 9.1: An area park developed within existing tree cover.

Figure 9.2: A community pavilion at a Lowcountry nature preserve.



ARTICLE X — NATURAL RESOURCES/AGRICULTURE

10.1 PURPOSE. The purpose of the NR/AG district is to encourage the preservation of farmland, timber, wildlife habitat, and rural livelihoods. The district will promote the goals of the Comprehensive Plan by supporting wildlife, recreation, and tourism in undeveloped areas to stimulate the local economy, while nurturing stewardship of the environment. Undeveloped portions of the town serve as the basis of the Town of Varnville green infrastructure, an objective to meet the goals of the Comprehensive Plan.

10.2 PERMITTED USES. Uses permitted outright, or permitted with conditions in the NR/AG are shown in the following table. Uses not listed in this table are not permitted in the NR/AG, but may be allowed by a determination of similarity by the Town of Varnville Planning Commission.

Use	Permitted	Conditional	Special Exception
Agriculture, except large-scale confined animal feeding operations	x		
Bed and Breakfast		x	
Barns, Greenhouses and other out-buildings	x		
Caretaker Dwelling	x		
Cemetery		x	
Church		x	
Equestrian Facilities		x	
Farm Stand/Farmers Market		x	
Horticulture	x		
Manufactured Homes		x	
Park	x		
Renewable Energy Production			x
Rural/Home Business		x	
Single-family Dwelling	x		
Silviculture	x		
Trails/Recreation	x		
Veterinarian/Kennels	x		
Wildlife Refuge	x		

Table 10.1: NR/AG – Permitted

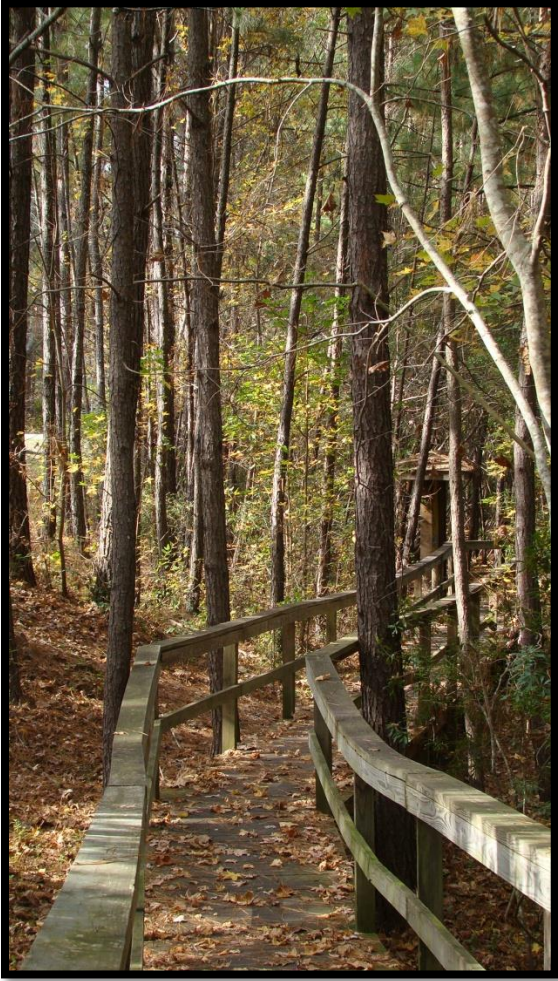


Figure 10.1: A boardwalk allows visitors of all ages to explore area natural resources.

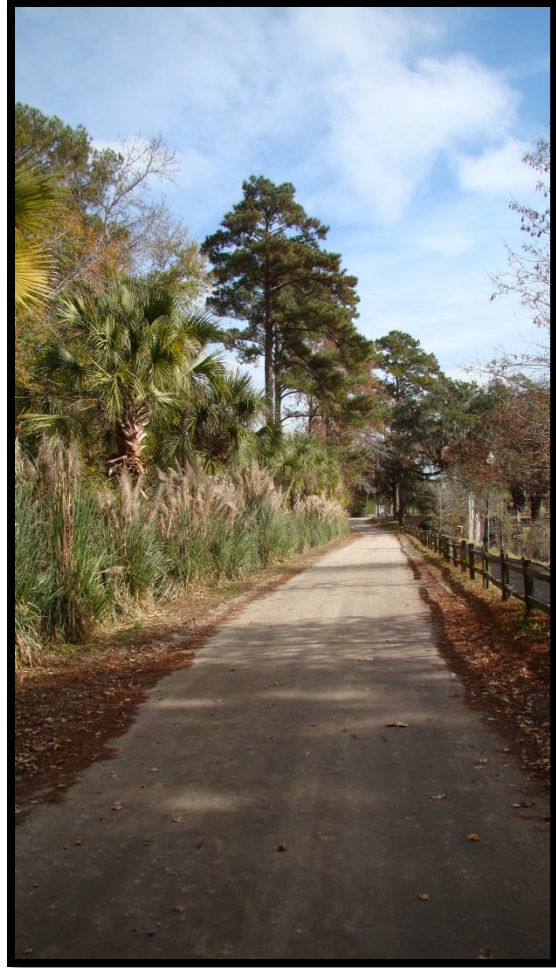


Figure 10.2: Access to Natural Resources can provide a community with valuable educational, economic, and environmental benefits.

10.3 CONDITIONAL USES. Location and approval of designated conditional uses shall be subject to *review* by the Town of Varnville Planning Commission. A conditional use may be approved, if it is demonstrated that the proposed use will be compatible with other uses and structures in the Natural Resource/Agriculture District and that it satisfies all relevant requirements of this ordinance and the following general criteria:

- A. The use is listed as a conditional use in the underlying zoning district;
- B. The use is consistent with the Comprehensive Plan
- C. The amount of new vehicular traffic generated by the use is not disruptive to the surrounding neighborhood;
- D. The parcel is suitable for the proposed use considering its size, shape and location;
- E. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
- F. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
- G. The use is or can be made compatible with existing uses and other allowable uses in the area.

In *approving* an application for a conditional use, the Planning Commission may impose conditions to protect the area surrounding the proposed use and to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to, the following:

- A. Increasing the required parcel area or yard dimensions;
- B. Limiting the height, size, or location of buildings and structures;
- C. Controlling the location and number of vehicle access points;
- D. Limiting the amount of traffic to be generated by the use;
- E. Increasing the number of required off-street parking spaces;
- F. Requiring fencing, screening, or landscaping to protect adjacent or nearby property.

10.4 SPECIAL EXCEPTION. Special exceptions shall also be reviewed by the Planning Commission for a determination of conformance. The review and general procedures and the factors and conditions which will be evaluated by the Planning Commission are the same as those discussed in “conditional Uses”.

10.5 DEVELOPMENT STANDARDS

New construction of the Permitted and Conditional Uses is required to meet the following basic standards:

AG/NR – Development Standards	
Minimum Lot Size	5 acres
Minimum Lot Coverage	25%
Minimum Sign setback	15 ft.
Minimum Frontage	100 ft.
Minimum Front Setback	50 ft.
Minimum Side Setback	50 ft.
Minimum Rear Setback	100 ft.
Maximum Building Height - Residential	35 ft.
Maximum Building Height – Accessory Use	35 ft.

Table 10.3: AG/NR – Development Standards

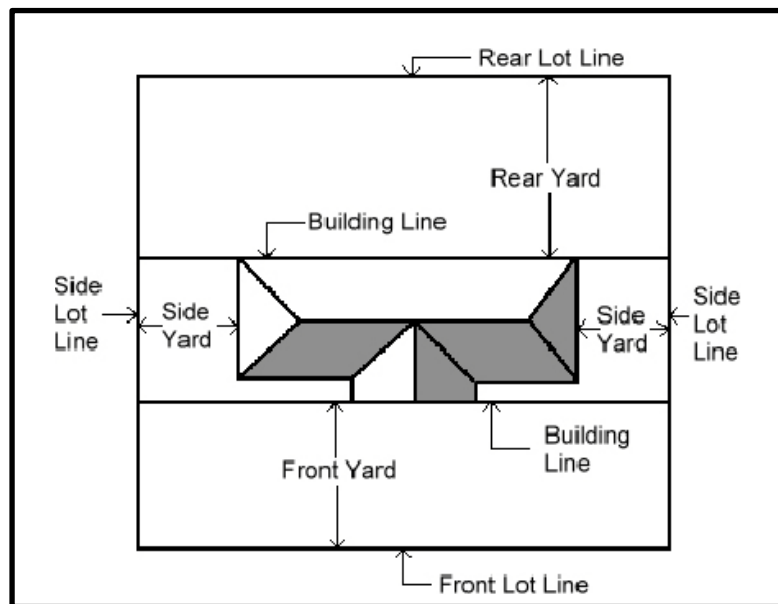


Figure 10.3: Lot Description

10.6 RURAL OR HOME BUSINESS

A (1) small-scale home or rural business per parcel shall be conditionally permitted in the NR/AG District. The business will be smaller in size, intensity and scale than those in typical commercial districts. The business must be appropriate in the rural working landscape, such as antique shops, specialty food shops, bed and breakfast, artist studios, and custom-made furniture stores. Any additions or alterations to the residence which will be used for the rural business must be of an architectural style in keeping with the surrounding residential and agricultural development. The Planning Commission may require that conditions be met to insure the compatibility with the surrounding properties.

A business will not:

- L. Have more than one (1) additional employee other than the persons whom reside on the premises;
- M. Create nuisances (fumes, odors, dust, noise) to those who live near the home or rural business;
- N. Involve the repair or storage of automobiles;
- O. Have any outside area in which the business is conducted, other than parking area and a roadside stand;
- P. Have any outside storage;
- Q. Exceed 1,000 square feet if in a structure;
- R. Surpass the scale or diminish the character of the agricultural or natural resource area;
- 1. Violate the laws and regulations administered by the Town of Varnville and the State of South Carolina.

10.7 SIGNAGE. The following regulations apply to signs in the NR/AG District:

- 1. All signs erected in NR/AG District must be composed of natural materials or materials that closely resemble natural materials.
- 2. Signs in the NR/AG District are limited one (1) free-standing sign per street facing side, not to exceed six (6) feet in height or thirty-five (35) square feet, plus one wall sign per building, not to exceed five (5) percent of that wall's surface area
- 3. Small directional signs are permitted in parks and recreational facilities, provided they are part of a sign plan, follow a consistent design, and do not create visual clutter.
- 4. Animated, lighted and flashing signs; signs with moveable letters; and parked vehicles with messages are not permitted.

10.8 MANUFACTURED AND MODULAR HOMES

Manufactured and Modular Homes are conditionally permitted NR/AG Districts if the following criteria are met:

- O. Be on individual sites.
- P. Have a minimum of 900 square feet of enclosed living area;
- Q. Have a 2:12 roof pitch.
- R. Conform to local residential designs;
- S. Are covered with exterior materials customarily used on site-built homes, including vinyl siding, wood, Masonite, or other materials similar to the exterior siding commonly used in standard residential construction;
- T. Have roof overhangs of not less than four inches;
- U. Be built according to the Federal Manufactured Housing Construction and Safety Standards Code (245 CFR 3280), enacted June 15, 1976;
- V. Manufactured homes built prior to the effective date of the code shall not be permitted for reasons of safety;
- W. Installation shall be in accordance with the Manufacturer's Installation Manual. If not available then installation should adhere to the South Carolina Manufactured Housing Board Regulations;
- X. Have appropriate skirting/underpinning of brick or masonry or similar materials around the entire unit.



ARTICLE XI — INSTITUTIONAL DISTRICT (ISD)

11.1 PURPOSE. The purpose of the Institutional District is to provide convenient and appropriate space for the orderly development of government, educational, penal, civic, and social institutions. Certain non-commercial uses can also act as a buffer between more intense uses and nearby residential neighborhoods.



11.2 PERMITTED USES. Uses permitted outright, or permitted with conditions in the ISD are shown in the following table. Uses not listed in this table are not permitted in the ISD, but may be allowed by a determination of similarity by the Town of Varnville Planning Commission.

Use	Permitted	Conditional
Civic and Social Service Facilities	x	
Colleges and Universities	x	
Cultural Facilities	x	
Government Buildings	x	
Greenways, Parks, & Arboretums	x	
Health Institutions	x	
Jails and other penal institutions	x	
Nursing Homes		x
Public Utilities		x
Religious Institutions		x

Table 11.1: ISD – Permitted Uses

11.3 CONDITIONAL USES. Location and approval of designated conditional uses shall be subject to *review* by the Town of Varnville Planning Commission. A conditional use may be approved, if it is demonstrated that the proposed use will be compatible with other uses and structures in the Institutional District and that it satisfies all relevant requirements of this ordinance and the following general criteria:

- A. The use is listed as a conditional use in the underlying zoning district;
- B. The use is consistent with the Comprehensive Plan
- C. The amount of new vehicular traffic generated by the use is not disruptive to the surrounding neighborhood;
- D. The parcel is suitable for the proposed use considering its size, shape and location;
- E. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
- F. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
- G. The use is or can be made compatible with existing uses and other allowable uses in the area.

In *approving* an application for a conditional use, the Planning Commission may impose conditions to protect the area surrounding the proposed use and to preserve the basic purpose and intent of the underlying zoning district. These conditions may include, but are not limited to, the following:

- A. Increasing the required parcel area or yard dimensions;
- B. Limiting the height, size, or location of buildings and structures;
- C. Controlling the location and number of vehicle access points;
- D. Limiting the amount of traffic to be generated by the use;
- E. Increasing the number of required off-street parking spaces;
- F. Requiring fencing, screening, or landscaping to protect adjacent or nearby property;

11.4 DEVELOPMENT STANDARDS.

New construction of the Permitted and Conditional Uses is required to meet the following basic standards:

Development Standards — ISD	
Minimum Lot Size	15000 sq./ft.
Minimum Sign setback	15 ft.
Minimum Frontage	100 ft.
Minimum Front Setback	35 ft.
Minimum Side Setback	25ft.
Minimum Rear Setback	10 ft.

Table 11.2: ISD – Development Standards

11.5 ON-SITE PARKING. On-site parking shall be provided for Institutional Districts at the following standards:

1. One (1) space per 750 square feet of building space.
2. Parking shall be landscaped and screened according to the requirements in the following section.

11.6 LANDSCAPE and BUFFERS.

Landscaping in the ISD is intended to protect and preserve the appearance of adjacent neighborhoods. It should be maintained and enhanced along Main Street around the key intersections, along main thoroughfares and the areas of designated off-street parking. Buffers are required for any off-street parking areas adjacent to residential uses to soften the impact of development.

Landscaping of off-street parking: The landscaping of the off-street parking facilities shall meet the following criteria:

1. A landscape plan shall be submitted with the required site plan.
2. Landscaping shall be located so it does not obscure traffic signs or fire hydrants, or obstruct driver's sight distance within the parking areas and at driveway entrances and exits.
- 2) Landscaping should avoid major utilities.
- 3) All plant materials shall be installed as to not alter drainage patterns in the ISD.
- 4) Landscaping shall be disbursed throughout the parking lot in order to break up large expanses of pavement.
- 5) Minimum landscaping will include one (1) canopy tree per every five (5) spaces and one hundred (100) square feet of landscaping area per five (5) spaces.



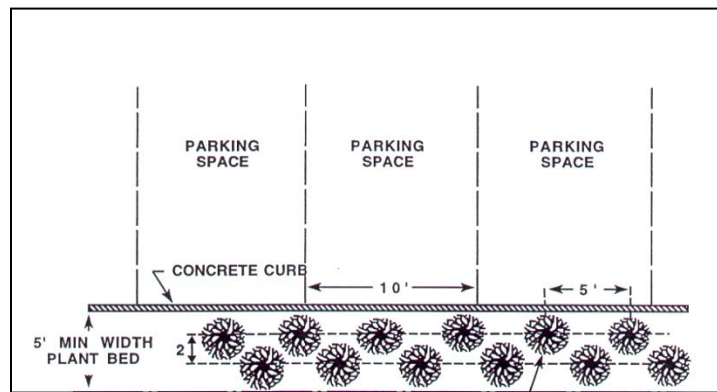
Figure 11.1 and 11.2: An area correctional facility has attractive design and buffering features that allows the use to blend into the landscape.



11.7 BUFFERS AND SCREENING: Buffers and screening shall only be required around off-street parking areas, trash receptacles, mechanical facilities, and loading areas.

1. A buffer is a portion of land usually in the form of linear strips maintained with natural or installed landscaping used to soften the impact of development. Buffers shall be located on the outer perimeter of the off-street parking facilities and contain grasses, shrubs and trees. The buffers shall be low-density screens intended to add to the beauty and character of the town while providing spatial separation between the parking area and the businesses. The buffer area shall be a minimum width of five (5) feet. The buffer area shall consist of a combination of twelve (12) ornamental shrubs, two (2) under story trees and landscaped grass areas, or other appropriate ground cover, per one hundred (100) linear feet. The shrubs may be clustered to ensure their survival. A sample site plan is illustrated by the following diagram.

2. If an institutional property is adjacent to a residential property, a six (6) ft. wood, brick stone, or composite fence with periodic finials or decorative posts will be installed along any off street parking.



3. Loading docks, trash collection/dumpster bins, mechanical units and similar facilities will be fully contained and out of view from adjacent properties and public streets. Screening materials should be either brick, stone, or wood. The color of screening should complement that of the principal structure. The screening shall meet or exceed the height (up to eight (8) feet) of the use it is designed to shield.